

113TH CONGRESS  
1ST SESSION

# H. R. 933

Making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2013

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## AN ACT

Making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of De-  
5 fense, Military Construction and Veterans Affairs, and  
6 Full-Year Continuing Appropriations Act, 2013”.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this Act is as follows:

Division A—Department of Defense Appropriations Act, 2013  
Division B—Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013  
Division C—Full-Year Continuing Appropriations Act, 2013  
Division D—Across-the-Board Reductions

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference  
3 to “this Act” contained in division A, B, or C of this Act  
4 shall be treated as referring only to the provisions of that  
5 division.

6 **SEC. 4. EXPLANATORY STATEMENT.**

7 The explanatory statement regarding this Act printed  
8 in the House of Representatives section of the Congressional Record on or about March 7, 2013 by the Chairman  
9 of the Committee on Appropriations of the House shall  
10 have the same effect with respect to the allocation of funds  
11 and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

14 **SEC. 5. AVAILABILITY OF FUNDS.**

15 Each amount designated in this Act by the Congress  
16 for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced  
17 Budget and Emergency Deficit Control Act of 1985 shall  
18 be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and  
19 transmits such designations to the Congress.

1        ~~DIVISION A—DEPARTMENT OF DEFENSE~~  
2                    ~~APPROPRIATIONS ACT, 2013~~

3        ~~The following sums are hereby appropriated, out of~~  
4 ~~any money in the Treasury not otherwise appropriated,~~  
5 ~~for the fiscal year ending September 30, 2013, for military~~  
6 ~~functions administered by the Department of Defense and~~  
7 ~~for other purposes, namely:~~

8                                    ~~TITLE I~~

9                                    ~~MILITARY PERSONNEL~~

10                                   ~~MILITARY PERSONNEL, ARMY~~

11        ~~For pay, allowances, individual clothing, subsistence,~~  
12 ~~interest on deposits, gratuities, permanent change of sta-~~  
13 ~~tion travel (including all expenses thereof for organiza-~~  
14 ~~tional movements), and expenses of temporary duty travel~~  
15 ~~between permanent duty stations, for members of the~~  
16 ~~Army on active duty, (except members of reserve compo-~~  
17 ~~nents provided for elsewhere), cadets, and aviation cadets;~~  
18 ~~for members of the Reserve Officers' Training Corps; and~~  
19 ~~for payments pursuant to section 156 of Public Law 97—~~  
20 ~~377, as amended (42 U.S.C. 402 note), and to the Depart-~~  
21 ~~ment of Defense Military Retirement Fund,~~  
22 ~~\$40,199,263,000.~~

23                                   ~~MILITARY PERSONNEL, NAVY~~

24        ~~For pay, allowances, individual clothing, subsistence,~~  
25 ~~interest on deposits, gratuities, permanent change of sta-~~

tion travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,902,346,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,531,549,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel

1 between permanent duty stations; for members of the Air  
 2 Force on active duty (except members of reserve compo-  
 3 nents provided for elsewhere); cadets; and aviation cadets;  
 4 for members of the Reserve Officers' Training Corps; and  
 5 for payments pursuant to section 156 of Public Law 97-  
 6 377, as amended (42 U.S.C. 402 note), and to the Depart-  
 7 ment of Defense Military Retirement Fund,  
 8 \$28,052,826,000.

9 ~~RESERVE PERSONNEL, ARMY~~

10 For pay, allowances, clothing, subsistence, gratuities,  
 11 travel, and related expenses for personnel of the Army Re-  
 12 serve on active duty under sections 10211, 10302, and  
 13 3038 of title 10, United States Code, or while serving on  
 14 active duty under section 12301(d) of title 10, United  
 15 States Code, in connection with performing duty specified  
 16 in section 12310(a) of title 10, United States Code, or  
 17 while undergoing reserve training, or while performing  
 18 drills or equivalent duty or other duty, and expenses au-  
 19 thorized by section 16131 of title 10, United States Code;  
 20 and for payments to the Department of Defense Military  
 21 Retirement Fund, \$4,456,823,000.

22 ~~RESERVE PERSONNEL, NAVY~~

23 For pay, allowances, clothing, subsistence, gratuities,  
 24 travel, and related expenses for personnel of the Navy Re-  
 25 serve on active duty under section 10211 of title 10,

1 United States Code, or while serving on active duty under  
2 section 12301(d) of title 10, United States Code, in con-  
3 nection with performing duty specified in section 12310(a)  
4 of title 10, United States Code, or while undergoing re-  
5 serve training, or while performing drills or equivalent  
6 duty, and expenses authorized by section 16131 of title  
7 10, United States Code; and for payments to the Depart-  
8 ment of Defense Military Retirement Fund,  
9 \$1,874,023,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,  
12 travel, and related expenses for personnel of the Marine  
13 Corps Reserve on active duty under section 10211 of title  
14 10, United States Code, or while serving on active duty  
15 under section 12301(d) of title 10, United States Code,  
16 in connection with performing duty specified in section  
17 12310(a) of title 10, United States Code, or while under-  
18 going reserve training, or while performing drills or equiv-  
19 alent duty, and for members of the Marine Corps platoon  
20 leaders class, and expenses authorized by section 16131  
21 of title 10, United States Code; and for payments to the  
22 Department of Defense Military Retirement Fund,  
23 \$658,251,000.

1                   RESERVE PERSONNEL, AIR FORCE

2           For pay, allowances, clothing, subsistence, gratuities,  
3 travel, and related expenses for personnel of the Air Force  
4 Reserve on active duty under sections 10211, 10305, and  
5 8038 of title 10, United States Code, or while serving on  
6 active duty under section 12301(d) of title 10, United  
7 States Code, in connection with performing duty specified  
8 in section 12310(a) of title 10, United States Code, or  
9 while undergoing reserve training, or while performing  
10 drills or equivalent duty or other duty, and expenses au-  
11 thorized by section 16131 of title 10, United States Code;  
12 and for payments to the Department of Defense Military  
13 Retirement Fund, \$1,722,425,000.

14                   NATIONAL GUARD PERSONNEL, ARMY

15           For pay, allowances, clothing, subsistence, gratuities,  
16 travel, and related expenses for personnel of the Army Na-  
17 tional Guard while on duty under section 10211, 10302,  
18 or 12402 of title 10 or section 708 of title 32, United  
19 States Code, or while serving on duty under section  
20 12301(d) of title 10 or section 502(f) of title 32, United  
21 States Code, in connection with performing duty specified  
22 in section 12310(a) of title 10, United States Code, or  
23 while undergoing training, or while performing drills or  
24 equivalent duty or other duty, and expenses authorized by  
25 section 16131 of title 10, United States Code; and for pay-

1 ments to the Department of Defense Military Retirement  
 2 Fund, \$7,981,577,000.

3 ~~NATIONAL GUARD PERSONNEL, AIR FORCE~~

4 For pay, allowances, clothing, subsistence, gratuities,  
 5 travel, and related expenses for personnel of the Air Na-  
 6 tional Guard on duty under section 10211, 10305, or  
 7 12402 of title 10 or section 708 of title 32, United States  
 8 Code, or while serving on duty under section 12301(d) of  
 9 title 10 or section 502(f) of title 32, United States Code,  
 10 in connection with performing duty specified in section  
 11 12310(a) of title 10, United States Code, or while under-  
 12 going training, or while performing drills or equivalent  
 13 duty or other duty, and expenses authorized by section  
 14 16131 of title 10, United States Code; and for payments  
 15 to the Department of Defense Military Retirement Fund,  
 16 \$3,153,990,000.

17 ~~TITLE II~~

18 ~~OPERATION AND MAINTENANCE~~

19 ~~OPERATION AND MAINTENANCE, ARMY~~

20 For expenses, not otherwise provided for, necessary  
 21 for the operation and maintenance of the Army, as author-  
 22 ized by law, and not to exceed \$12,478,000 can be used  
 23 for emergencies and extraordinary expenses, to be ex-  
 24 pended on the approval or authority of the Secretary of  
 25 the Army, and payments may be made on his certificate



1 of necessity for confidential military purposes;  
2 \$35,409,260,000.

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary  
5 for the operation and maintenance of the Navy and the  
6 Marine Corps, as authorized by law; and not to exceed  
7 \$14,804,000 can be used for emergencies and extraor-  
8 dinary expenses, to be expended on the approval or author-  
9 ity of the Secretary of the Navy; and payments may be  
10 made on his certificate of necessity for confidential mili-  
11 tary purposes, \$41,614,453,000.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For expenses, not otherwise provided for, necessary  
14 for the operation and maintenance of the Marine Corps,  
15 as authorized by law, \$6,034,963,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary  
18 for the operation and maintenance of the Air Force, as  
19 authorized by law; and not to exceed \$7,699,000 can be  
20 used for emergencies and extraordinary expenses, to be ex-  
21 pended on the approval or authority of the Secretary of  
22 the Air Force; and payments may be made on his certifi-  
23 cate of necessity for confidential military purposes;  
24 \$34,780,406,000.

1       ~~OPERATION AND MAINTENANCE, DEFENSE-WIDE~~  
2                   ~~(INCLUDING TRANSFER OF FUNDS)~~

3       ~~For expenses, not otherwise provided for, necessary~~  
4 ~~for the operation and maintenance of activities and agen-~~  
5 ~~cies of the Department of Defense (other than the military~~  
6 ~~departments), as authorized by law, \$31,862,980,000:~~  
7 ~~*Provided*, That not more than \$30,000,000 may be used~~  
8 ~~for the Combatant Commander Initiative Fund authorized~~  
9 ~~under section 166a of title 10, United States Code: *Pro-*~~  
10 ~~*vided further*, That not to exceed \$36,000,000 can be used~~  
11 ~~for emergencies and extraordinary expenses, to be ex-~~  
12 ~~pended on the approval or authority of the Secretary of~~  
13 ~~Defense, and payments may be made on his certificate of~~  
14 ~~necessity for confidential military purposes: *Provided fur-*~~  
15 ~~*ther*, That of the funds provided under this heading, not~~  
16 ~~less than \$36,480,000 shall be made available for the Pro-~~  
17 ~~curement Technical Assistance Cooperative Agreement~~  
18 ~~Program, of which not less than \$3,600,000 shall be avail-~~  
19 ~~able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*~~  
20 ~~*vided further*, That none of the funds appropriated or oth-~~  
21 ~~erwise made available by this Act may be used to plan~~  
22 ~~or implement the consolidation of a budget or appropria-~~  
23 ~~tions liaison office of the Office of the Secretary of De-~~  
24 ~~fense, the office of the Secretary of a military department,~~  
25 ~~or the service headquarters of one of the Armed Forces~~

1 into a legislative affairs or legislative liaison office: *Pro-*  
 2 *vided further*, That \$8,563,000, to remain available until  
 3 expended, is available only for expenses relating to certain  
 4 classified activities, and may be transferred as necessary  
 5 by the Secretary of Defense to operation and maintenance  
 6 appropriations or research, development, test and evalua-  
 7 tion appropriations, to be merged with and to be available  
 8 for the same time period as the appropriations to which  
 9 transferred: *Provided further*, That any ceiling on the in-  
 10 vestment item unit cost of items that may be purchased  
 11 with operation and maintenance funds shall not apply to  
 12 the funds described in the preceding proviso: *Provided fur-*  
 13 *ther*, That the transfer authority provided under this head-  
 14 ing is in addition to any other transfer authority provided  
 15 elsewhere in this Act.

16       OPERATION AND MAINTENANCE, ARMY RESERVE

17       For expenses, not otherwise provided for, necessary  
 18 for the operation and maintenance, including training, or-  
 19 ganization, and administration, of the Army Reserve; re-  
 20 pair of facilities and equipment; hire of passenger motor  
 21 vehicles; travel and transportation; care of the dead; re-  
 22 cruiting; procurement of services, supplies, and equip-  
 23 ment; and communications, \$3,182,923,000.

1       ~~OPERATION AND MAINTENANCE, NAVY RESERVE~~

2       ~~For expenses, not otherwise provided for, necessary~~  
3 ~~for the operation and maintenance, including training, or-~~  
4 ~~ganization, and administration, of the Navy Reserve; re-~~  
5 ~~pair of facilities and equipment; hire of passenger motor~~  
6 ~~vehicles; travel and transportation; care of the dead; re-~~  
7 ~~cruiting; procurement of services, supplies, and equip-~~  
8 ~~ment; and communications, \$1,256,347,000.~~

9       ~~OPERATION AND MAINTENANCE, MARINE CORPS~~

10                               ~~RESERVE~~

11       ~~For expenses, not otherwise provided for, necessary~~  
12 ~~for the operation and maintenance, including training, or-~~  
13 ~~ganization, and administration, of the Marine Corps Re-~~  
14 ~~serve; repair of facilities and equipment; hire of passenger~~  
15 ~~motor vehicles; travel and transportation; care of the dead;~~  
16 ~~recruiting; procurement of services, supplies, and equip-~~  
17 ~~ment; and communications, \$277,377,000.~~

18       ~~OPERATION AND MAINTENANCE, AIR FORCE RESERVE~~

19       ~~For expenses, not otherwise provided for, necessary~~  
20 ~~for the operation and maintenance, including training, or-~~  
21 ~~ganization, and administration, of the Air Force Reserve;~~  
22 ~~repair of facilities and equipment; hire of passenger motor~~  
23 ~~vehicles; travel and transportation; care of the dead; re-~~  
24 ~~cruiting; procurement of services, supplies, and equip-~~  
25 ~~ment; and communications, \$3,261,324,000.~~

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things; hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair,

1 modification, maintenance, and issue of supplies and  
2 equipment, including those furnished from stocks under  
3 the control of agencies of the Department of Defense;  
4 travel expenses (other than mileage) on the same basis as  
5 authorized by law for Air National Guard personnel on  
6 active Federal duty, for Air National Guard commanders  
7 while inspecting units in compliance with National Guard  
8 Bureau regulations when specifically authorized by the  
9 Chief, National Guard Bureau, \$6,494,326,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED  
11 FORCES

12 For salaries and expenses necessary for the United  
13 States Court of Appeals for the Armed Forces,  
14 \$13,516,000, of which not to exceed \$5,000 may be used  
15 for official representation purposes.

16 ENVIRONMENTAL RESTORATION, ARMY  
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Army, \$335,921,000, to  
19 remain available until transferred: *Provided*, That the Sec-  
20 retary of the Army shall, upon determining that such  
21 funds are required for environmental restoration, reduc-  
22 tion and recycling of hazardous waste, removal of unsafe  
23 buildings and debris of the Department of the Army, or  
24 for similar purposes, transfer the funds made available by  
25 this appropriation to other appropriations made available

1 to the Department of the Army, to be merged with and  
2 to be available for the same purposes and for the same  
3 time period as the appropriations to which transferred:  
4 *Provided further*, That upon a determination that all or  
5 part of the funds transferred from this appropriation are  
6 not necessary for the purposes provided herein, such  
7 amounts may be transferred back to this appropriation:  
8 *Provided further*, That the transfer authority provided  
9 under this heading is in addition to any other transfer au-  
10 thority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, NAVY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$310,594,000, to  
14 remain available until transferred: *Provided*, That the Sec-  
15 retary of the Navy shall, upon determining that such  
16 funds are required for environmental restoration, reduc-  
17 tion and recycling of hazardous waste, removal of unsafe  
18 buildings and debris of the Department of the Navy, or  
19 for similar purposes, transfer the funds made available by  
20 this appropriation to other appropriations made available  
21 to the Department of the Navy, to be merged with and  
22 to be available for the same purposes and for the same  
23 time period as the appropriations to which transferred:  
24 *Provided further*, That upon a determination that all or  
25 part of the funds transferred from this appropriation are

1 not necessary for the purposes provided herein, such  
2 amounts may be transferred back to this appropriation:  
3 *Provided further*, That the transfer authority provided  
4 under this heading is in addition to any other transfer au-  
5 thority provided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, AIR FORCE  
7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$529,263,000,  
9 to remain available until transferred: *Provided*, That the  
10 Secretary of the Air Force shall, upon determining that  
11 such funds are required for environmental restoration, re-  
12 duction and recycling of hazardous waste, removal of un-  
13 safe buildings and debris of the Department of the Air  
14 Force, or for similar purposes, transfer the funds made  
15 available by this appropriation to other appropriations  
16 made available to the Department of the Air Force, to be  
17 merged with and to be available for the same purposes  
18 and for the same time period as the appropriations to  
19 which transferred: *Provided further*, That upon a deter-  
20 mination that all or part of the funds transferred from  
21 this appropriation are not necessary for the purposes pro-  
22 vided herein, such amounts may be transferred back to  
23 this appropriation: *Provided further*, That the transfer au-  
24 thority provided under this heading is in addition to any  
25 other transfer authority provided elsewhere in this Act.



## 1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$11,133,000, to re-  
4 main available until transferred: *Provided*, That the Sec-  
5 retary of Defense shall, upon determining that such funds  
6 are required for environmental restoration, reduction and  
7 recycling of hazardous waste, removal of unsafe buildings  
8 and debris of the Department of Defense or for similar  
9 purposes, transfer the funds made available by this appro-  
10 priation to other appropriations made available to the De-  
11 partment of Defense, to be merged with and to be avail-  
12 able for the same purposes and for the same time period  
13 as the appropriations to which transferred: *Provided fur-*  
14 *ther*, That upon a determination that all or part of the  
15 funds transferred from this appropriation are not nec-  
16 essary for the purposes provided herein, such amounts  
17 may be transferred back to this appropriation: *Provided*  
18 *further*, That the transfer authority provided under this  
19 heading is in addition to any other transfer authority pro-  
20 vided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, FORMERLY USED

22 DEFENSE SITES

23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$287,543,000, to  
25 remain available until transferred: *Provided*, That the Sec-

1 retary of the Army shall, upon determining that such  
2 funds are required for environmental restoration, reduc-  
3 tion and recycling of hazardous waste, removal of unsafe  
4 buildings and debris at sites formerly used by the Depart-  
5 ment of Defense, transfer the funds made available by this  
6 appropriation to other appropriations made available to  
7 the Department of the Army, to be merged with and to  
8 be available for the same purposes and for the same time  
9 period as the appropriations to which transferred: *Pro-*  
10 *vided further*, That upon a determination that all or part  
11 of the funds transferred from this appropriation are not  
12 necessary for the purposes provided herein, such amounts  
13 may be transferred back to this appropriation: *Provided*  
14 *further*, That the transfer authority provided under this  
15 heading is in addition to any other transfer authority pro-  
16 vided elsewhere in this Act.

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,  
19 Disaster, and Civic Aid programs of the Department of  
20 Defense (consisting of the programs provided under sec-  
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
22 United States Code), \$108,759,000, to remain available  
23 until September 30, 2014.

1           COOPERATIVE THREAT REDUCTION ACCOUNT

2           For assistance to the republics of the former Soviet  
3 Union and, with appropriate authorization by the Depart-  
4 ment of Defense and Department of State, to countries  
5 outside of the former Soviet Union, including assistance  
6 provided by contract or by grants, for facilitating the  
7 elimination and the safe and secure transportation and  
8 storage of nuclear, chemical and other weapons; for estab-  
9 lishing programs to prevent the proliferation of weapons;  
10 weapons components, and weapon-related technology and  
11 expertise; for programs relating to the training and sup-  
12 port of defense and military personnel for demilitarization  
13 and protection of weapons, weapons components and  
14 weapons technology and expertise, and for defense and  
15 military contacts, \$519,111,000, to remain available until  
16 September 30, 2015.

17       DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE  
18                               DEVELOPMENT FUND

19       For the Department of Defense Acquisition Work-  
20 force Development Fund, \$50,198,000.

21                               TITLE III

22                               PROCUREMENT

23                               AIRCRAFT PROCUREMENT, ARMY

24       For construction, procurement, production, modifica-  
25 tion, and modernization of aircraft, equipment, including

1 ordnance, ground handling equipment, spare parts, and  
2 accessories therefor; specialized equipment and training  
3 devices; expansion of public and private plants, including  
4 the land necessary therefor, for the foregoing purposes;  
5 and such lands and interests therein, may be acquired,  
6 and construction prosecuted thereon prior to approval of  
7 title; and procurement and installation of equipment, ap-  
8 pliances, and machine tools in public and private plants;  
9 reserve plant and Government and contractor-owned  
10 equipment layaway; and other expenses necessary for the  
11 foregoing purposes, \$6,028,754,000, to remain available  
12 for obligation until September 30, 2015.

13                   MISSILE PROCUREMENT, ARMY

14       For construction, procurement, production, modifica-  
15 tion, and modernization of missiles, equipment, including  
16 ordnance, ground handling equipment, spare parts, and  
17 accessories therefor; specialized equipment and training  
18 devices; expansion of public and private plants, including  
19 the land necessary therefor, for the foregoing purposes;  
20 and such lands and interests therein, may be acquired,  
21 and construction prosecuted thereon prior to approval of  
22 title; and procurement and installation of equipment, ap-  
23 pliances, and machine tools in public and private plants;  
24 reserve plant and Government and contractor-owned  
25 equipment layaway; and other expenses necessary for the

1 foregoing purposes, \$1,535,433,000, to remain available  
2 for obligation until September 30, 2015.

3     ~~PROCUREMENT OF WEAPONS AND TRACKED COMBAT~~  
4                     ~~VEHICLES, ARMY~~

5         ~~For construction, procurement, production, and~~  
6 ~~modification of weapons and tracked combat vehicles,~~  
7 ~~equipment, including ordnance, spare parts, and acces-~~  
8 ~~sories therefor; specialized equipment and training devices;~~  
9 ~~expansion of public and private plants, including the land~~  
10 ~~necessary therefor, for the foregoing purposes, and such~~  
11 ~~lands and interests therein, may be acquired, and con-~~  
12 ~~struction prosecuted thereon prior to approval of title; and~~  
13 ~~procurement and installation of equipment, appliances,~~  
14 ~~and machine tools in public and private plants; reserve~~  
15 ~~plant and Government and contractor-owned equipment~~  
16 ~~layaway; and other expenses necessary for the foregoing~~  
17 ~~purposes, \$1,857,823,000, to remain available for obliga-~~  
18 ~~tion until September 30, 2015.~~

19                     ~~PROCUREMENT OF AMMUNITION, ARMY~~

20         ~~For construction, procurement, production, and~~  
21 ~~modification of ammunition, and accessories therefor; spe-~~  
22 ~~cialized equipment and training devices; expansion of pub-~~  
23 ~~lie and private plants, including ammunition facilities, au-~~  
24 ~~thorized by section 2854 of title 10, United States Code,~~  
25 ~~and the land necessary therefor, for the foregoing pur-~~

1 poses, and such lands and interests therein, may be ac-  
2 quired, and construction prosecuted thereon prior to ap-  
3 proval of title; and procurement and installation of equip-  
4 ment, appliances, and machine tools in public and private  
5 plants; reserve plant and Government and contractor-  
6 owned equipment layaway; and other expenses necessary  
7 for the foregoing purposes, \$1,641,306,000, to remain  
8 available for obligation until September 30, 2015.

9                   OTHER PROCUREMENT, ARMY

10       For construction, procurement, production, and  
11 modification of vehicles, including tactical, support, and  
12 non-tracked combat vehicles; the purchase of passenger  
13 motor vehicles for replacement only; communications and  
14 electronic equipment; other support equipment; spare  
15 parts, ordnance, and accessories therefor; specialized  
16 equipment and training devices; expansion of public and  
17 private plants, including the land necessary therefor, for  
18 the foregoing purposes, and such lands and interests  
19 therein, may be acquired, and construction prosecuted  
20 thereon prior to approval of title; and procurement and  
21 installation of equipment, appliances, and machine tools  
22 in public and private plants; reserve plant and Govern-  
23 ment and contractor-owned equipment layaway; and other  
24 expenses necessary for the foregoing purposes;

1 ~~\$5,741,664,000, to remain available for obligation until~~  
2 ~~September 30, 2015.~~

3 ~~AIRCRAFT PROCUREMENT, NAVY~~

4 ~~For construction, procurement, production, modifica-~~  
5 ~~tion, and modernization of aircraft, equipment, including~~  
6 ~~ordnance, spare parts, and accessories therefor; specialized~~  
7 ~~equipment; expansion of public and private plants, includ-~~  
8 ~~ing the land necessary therefor, and such lands and inter-~~  
9 ~~ests therein, may be acquired, and construction prosecuted~~  
10 ~~thereon prior to approval of title; and procurement and~~  
11 ~~installation of equipment, appliances, and machine tools~~  
12 ~~in public and private plants; reserve plant and Govern-~~  
13 ~~ment and contractor-owned equipment layaway,~~  
14 ~~\$17,382,152,000, to remain available for obligation until~~  
15 ~~September 30, 2015.~~

16 ~~WEAPONS PROCUREMENT, NAVY~~

17 ~~For construction, procurement, production, modifica-~~  
18 ~~tion, and modernization of missiles, torpedoes, other weap-~~  
19 ~~ons, and related support equipment including spare parts,~~  
20 ~~and accessories therefor; expansion of public and private~~  
21 ~~plants, including the land necessary therefor, and such~~  
22 ~~lands and interests therein, may be acquired, and con-~~  
23 ~~struction prosecuted thereon prior to approval of title; and~~  
24 ~~procurement and installation of equipment, appliances,~~  
25 ~~and machine tools in public and private plants; reserve~~

6 For construction, procurement, production, and  
7 modification of ammunition, and accessories therefor; spe-  
8 cialized equipment and training devices; expansion of pub-  
9 lic and private plants, including ammunition facilities, au-  
10 thorized by section 2854 of title 10, United States Code,  
11 and the land necessary therefor, for the foregoing pur-  
12 poses, and such lands and interests therein, may be ae-  
13 quired, and construction prosecuted thereon prior to ap-  
14 proval of title; and procurement and installation of equip-  
15 ment, appliances, and machine tools in public and private  
16 plants; reserve plant and Government and contractor-  
17 owned equipment layaway; and other expenses necessary  
18 for the foregoing purposes, \$659,897,000, to remain avail-  
19 able for obligation until September 30, 2015.

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and con-



1 tractor-owned equipment layaway; procurement of critical;  
 2 long lead time components and designs for vessels to be  
 3 constructed or converted in the future; and expansion of  
 4 public and private plants; including land necessary there-  
 5 for; and such lands and interests therein, may be acquired;  
 6 and construction prosecuted thereon prior to approval of  
 7 title; as follows:

8           Carrier Replacement Program, \$565,371,000;  
 9           Virginia Class Submarine, \$3,217,601,000;  
 10          Virginia        Class        Submarine        (AP),  
 11       \$1,652,557,000;  
 12          CVN Refuelings, \$1,613,392,000;  
 13          CVN Refuelings (AP), \$70,010,000;  
 14          DDG-1000 Program, \$669,222,000;  
 15          DDG-51 Destroyer, \$4,036,628,000;  
 16          DDG-51 Destroyer (AP), \$466,283,000;  
 17          Littoral Combat Ship, \$1,784,959,000;  
 18          LPD-17 (AP), \$263,255,000;  
 19          Joint High Speed Vessel, \$189,196,000;  
 20          Moored Training Ship, \$307,300,000;  
 21          LCAC Service Life Extension Program,  
 22       \$85,830,000; and  
 23          For outfitting, post delivery, conversions, and  
 24       first destination transportation, \$290,035,000.

1           Completion of Prior Year Shipbuilding Pro-  
2           grams, ~~\$372,573,000.~~

3           In all: ~~\$15,584,212,000,~~ to remain available for obli-  
4           gation until September 30, 2017: *Provided,* That addi-  
5           tional obligations may be incurred after September 30,  
6           2017, for engineering services, tests, evaluations, and  
7           other such budgeted work that must be performed in the  
8           final stage of ship construction: *Provided further,* That  
9           none of the funds provided under this heading for the con-  
10          struction or conversion of any naval vessel to be con-  
11          structed in shipyards in the United States shall be ex-  
12          pended in foreign facilities for the construction of major  
13          components of such vessel: *Provided further,* That none  
14          of the funds provided under this heading shall be used  
15          for the construction of any naval vessel in foreign ship-  
16          yards.

17                           OTHER PROCUREMENT, NAVY

18          For procurement, production, and modernization of  
19          support equipment and materials not otherwise provided  
20          for, Navy ordnance (except ordnance for new aircraft, new  
21          ships, and ships authorized for conversion); the purchase  
22          of passenger motor vehicles for replacement only; expan-  
23          sion of public and private plants, including the land nec-  
24          essary therefor, and such lands and interests therein, may  
25          be acquired, and construction prosecuted thereon prior to

1 approval of title; and procurement and installation of  
2 equipment, appliances, and machine tools in public and  
3 private plants; reserve plant and Government and con-  
4 tractor-owned equipment layaway, \$5,955,078,000, to re-  
5 main available for obligation until September 30, 2015.

6                   PROCUREMENT, MARINE CORPS

7       For expenses necessary for the procurement, manu-  
8 facture, and modification of missiles, armament, military  
9 equipment, spare parts, and accessories therefor; plant  
10 equipment, appliances, and machine tools, and installation  
11 thereof in public and private plants; reserve plant and  
12 Government and contractor-owned equipment layaway; ve-  
13 hicles for the Marine Corps, including the purchase of pas-  
14 senger motor vehicles for replacement only; and expansion  
15 of public and private plants, including land necessary  
16 therefor, and such lands and interests therein, may be ac-  
17 quired, and construction prosecuted thereon prior to ap-  
18 proval of title, \$1,411,411,000, to remain available for ob-  
19 ligation until September 30, 2015.

20                   AIRCRAFT PROCUREMENT, AIR FORCE

21       For construction, procurement, and modification of  
22 aircraft and equipment, including armor and armament,  
23 specialized ground handling equipment, and training de-  
24 vices, spare parts, and accessories therefor; specialized  
25 equipment; expansion of public and private plants, Gov-

1 ernment-owned equipment and installation thereof in such  
2 plants; erection of structures; and acquisition of land; for  
3 the foregoing purposes; and such lands and interests  
4 therein; may be acquired; and construction prosecuted  
5 thereon prior to approval of title; reserve plant and Gov-  
6 ernment and contractor-owned equipment layaway; and  
7 other expenses necessary for the foregoing purposes in-  
8 cluding rents and transportation of things;  
9 \$11,774,019,000; to remain available for obligation until  
10 September 30, 2015.

11 MISSILE PROCUREMENT, AIR FORCE

12 For construction, procurement, and modification of  
13 missiles; spacecraft; rockets; and related equipment; in-  
14 cluding spare parts and accessories therefor; ground han-  
15 dling equipment; and training devices; expansion of public  
16 and private plants; Government-owned equipment and in-  
17 stallation thereof in such plants; erection of structures;  
18 and acquisition of land; for the foregoing purposes; and  
19 such lands and interests therein; may be acquired; and  
20 construction prosecuted thereon prior to approval of title;  
21 reserve plant and Government and contractor-owned  
22 equipment layaway; and other expenses necessary for the  
23 foregoing purposes including rents and transportation of  
24 things; \$4,962,376,000; to remain available for obligation  
25 until September 30, 2015.

## 1           PROCUREMENT OF AMMUNITION, AIR FORCE

2           For construction, procurement, production, and  
3 modification of ammunition, and accessories therefor; spe-  
4 cialized equipment and training devices; expansion of pub-  
5 lic and private plants, including ammunition facilities, au-  
6 thorized by section 2854 of title 10, United States Code,  
7 and the land necessary therefor, for the foregoing pur-  
8 poses, and such lands and interests therein, may be ac-  
9 quired, and construction prosecuted thereon prior to ap-  
10 proval of title; and procurement and installation of equip-  
11 ment, appliances, and machine tools in public and private  
12 plants; reserve plant and Government and contractor-  
13 owned equipment layaway; and other expenses necessary  
14 for the foregoing purposes, \$594,694,000, to remain avail-  
15 able for obligation until September 30, 2015.

## 16           OTHER PROCUREMENT, AIR FORCE

17          For procurement and modification of equipment (in-  
18 cluding ground guidance and electronic control equipment,  
19 and ground electronic and communication equipment);  
20 and supplies, materials, and spare parts therefor, not oth-  
21 erwise provided for; the purchase of passenger motor vehi-  
22 cles for replacement only; lease of passenger motor vehi-  
23 cles; and expansion of public and private plants, Govern-  
24 ment-owned equipment and installation thereof in such  
25 plants, erection of structures, and acquisition of land, for

1 the foregoing purposes, and such lands and interests  
2 therein, may be acquired, and construction prosecuted  
3 thereon, prior to approval of title; reserve plant and Gov-  
4 ernment and contractor-owned equipment layaway,  
5 \$17,082,508,000, to remain available for obligation until  
6 September 30, 2015.

7                   PROCUREMENT, DEFENSE-WIDE

8           For expenses of activities and agencies of the Depart-  
9 ment of Defense (other than the military departments)  
10 necessary for procurement, production, and modification  
11 of equipment, supplies, materials, and spare parts there-  
12 for, not otherwise provided for; the purchase of passenger  
13 motor vehicles for replacement only; expansion of public  
14 and private plants, equipment, and installation thereof in  
15 such plants, erection of structures, and acquisition of land  
16 for the foregoing purposes, and such lands and interests  
17 therein, may be acquired, and construction prosecuted  
18 thereon prior to approval of title; reserve plant and Gov-  
19 ernment and contractor-owned equipment layaway,  
20 \$4,878,985,000, to remain available for obligation until  
21 September 30, 2015.

22                   DEFENSE PRODUCTION ACT PURCHASES

23           For activities by the Department of Defense pursuant  
24 to sections 108, 301, 302, and 303 of the Defense Produ-

tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and  
2093), \$223,531,000, to remain available until expended.

#### TITLE IV

### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

##### ARMY

For expenses necessary for basic and applied sci-  
entific research, development, test and evaluation, includ-  
ing maintenance, rehabilitation, lease, and operation of fa-  
cilities and equipment, \$8,676,627,000, to remain avail-  
able for obligation until September 30, 2014.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

##### NAVY

For expenses necessary for basic and applied sci-  
entific research, development, test and evaluation, includ-  
ing maintenance, rehabilitation, lease, and operation of fa-  
cilities and equipment, \$16,963,398,000, to remain avail-  
able for obligation until September 30, 2014: *Provided,*  
That funds appropriated in this paragraph which are  
available for the V-22 may be used to meet unique oper-  
ational requirements of the Special Operations Forces:  
*Provided further,* That funds appropriated in this para-  
graph shall be available for the Cobra Judy program.

1     RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2                                     AIR FORCE

3         For expenses necessary for basic and applied sci-  
4     entific research, development, test and evaluation, includ-  
5     ing maintenance, rehabilitation, lease, and operation of fa-  
6     cilities and equipment, \$25,432,738,000, to remain avail-  
7     able for obligation until September 30, 2014.

8     RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
9                                     DEFENSE-WIDE  
10                                 (INCLUDING TRANSFER OF FUNDS)

11         For expenses of activities and agencies of the Depart-  
12     ment of Defense (other than the military departments),  
13     necessary for basic and applied scientific research, devel-  
14     opment, test and evaluation; advanced research projects  
15     as may be designated and determined by the Secretary  
16     of Defense, pursuant to law; maintenance, rehabilitation,  
17     lease, and operation of facilities and equipment,  
18     \$18,631,946,000, to remain available for obligation until  
19     September 30, 2014: *Provided*, That of the funds made  
20     available in this paragraph, \$250,000,000 for the Defense  
21     Rapid Innovation Program shall only be available for ex-  
22     penses, not otherwise provided for, to include program  
23     management and oversight, to conduct research, develop-  
24     ment, test and evaluation to include proof of concept dem-  
25     onstration; engineering, testing, and validation; and tran-



1 sition to full-scale production: *Provided further*, That the  
2 Secretary of Defense may transfer funds provided herein  
3 for the Defense Rapid Innovation Program to appropria-  
4 tions for research, development, test and evaluation to ac-  
5 complish the purpose provided herein: *Provided further*,  
6 That this transfer authority is in addition to any other  
7 transfer authority available to the Department of Defense:  
8 *Provided further*, That the Secretary of Defense shall, not  
9 fewer than 30 days prior to making transfers from this  
10 appropriation, notify the congressional defense committees  
11 in writing of the details of any such transfer.

12       OPERATIONAL TEST AND EVALUATION, DEFENSE

13       For expenses, not otherwise provided for, necessary  
14 for the independent activities of the Director, Operational  
15 Test and Evaluation, in the direction and supervision of  
16 operational test and evaluation, including initial oper-  
17 ational test and evaluation which is conducted prior to,  
18 and in support of, production decisions; joint operational  
19 testing and evaluation; and administrative expenses in  
20 connection therewith, \$223,768,000, to remain available  
21 for obligation until September 30, 2014.

## 1 TITLE V

## 2 REVOLVING AND MANAGEMENT FUNDS

## 3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds,  
5 \$1,516,184,000.

## 6 NATIONAL DEFENSE SEALIFT FUND

7 For National Defense Sealift Fund programs,  
8 projects, and activities, and for expenses of the National  
9 Defense Reserve Fleet, as established by section 11 of the  
10 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),  
11 and for the necessary expenses to maintain and preserve  
12 a U.S. flag merchant fleet to serve the national security  
13 needs of the United States, \$697,840,000, to remain avail-  
14 able until expended: *Provided*, That none of the funds pro-  
15 vided in this paragraph shall be used to award a new con-  
16 tract that provides for the acquisition of any of the fol-  
17 lowing major components unless such components are  
18 manufactured in the United States: auxiliary equipment,  
19 including pumps, for all shipboard services; propulsion  
20 system components (engines, reduction gears, and propel-  
21 lers); shipboard cranes; and spreaders for shipboard  
22 cranes: *Provided further*, That the exercise of an option  
23 in a contract awarded through the obligation of previously  
24 appropriated funds shall not be considered to be the award  
25 of a new contract: *Provided further*, That the Secretary

1 of the military department responsible for such procure-  
 2 ment may waive the restrictions in the first proviso on  
 3 a ~~case-by-case~~ basis by certifying in writing to the Com-  
 4 mittees on Appropriations of the House of Representatives  
 5 and the Senate that adequate domestic supplies are not  
 6 available to meet Department of Defense requirements on  
 7 a timely basis and that such an acquisition must be made  
 8 in order to acquire capability for national security pur-  
 9 poses.

10 TITLE VI  
 11 OTHER DEPARTMENT OF DEFENSE PROGRAMS  
 12 DEFENSE HEALTH PROGRAM

13 For expenses, not otherwise provided for, for medical  
 14 and health care programs of the Department of Defense  
 15 as authorized by law, ~~\$32,715,304,000~~; of which  
 16 ~~\$30,885,165,000~~ shall be for operation and maintenance;  
 17 of which not to exceed one percent shall remain available  
 18 until September 30, 2014, and of which up to  
 19 ~~\$15,934,952,000~~ may be available for contracts entered  
 20 into under the TRICARE program; of which  
 21 ~~\$521,762,000~~, to remain available for obligation until Sep-  
 22 tember 30, 2015, shall be for procurement; and of which  
 23 ~~\$1,308,377,000~~, to remain available for obligation until  
 24 September 30, 2014, shall be for research, development,  
 25 test and evaluation: *Provided*, That, notwithstanding any

1 other provision of law, of the amount made available under  
2 this heading for research, development, test and evalua-  
3 tion, not less than \$8,000,000 shall be available for HIV  
4 prevention educational activities undertaken in connection  
5 with United States military training, exercises, and hu-  
6 manitarian assistance activities conducted primarily in Af-  
7 rican nations: *Provided further*, That of the funds provided  
8 to develop a joint Department of Defense—Department  
9 of Veterans Affairs (DOD—VA) integrated Electronic  
10 Health Record, not more than 25 percent may be obli-  
11 gated until the DOD—VA Interagency Program Office sub-  
12 mits to the Committees on Appropriations of both Houses  
13 of Congress, and such Committees approve, a plan for ex-  
14 penditure that: (1) defines the budget and cost baseline  
15 for development of the integrated Electronic Health  
16 Record; (2) identifies the deployment timeline for the sys-  
17 tem for both agencies; (3) breaks out annual and total  
18 spending for each Department; (4) relays detailed cost-  
19 sharing business rules; (5) establishes data standardiza-  
20 tion schedules between the Departments; (6) has been sub-  
21 mitted to the Government Accountability Office for review;  
22 and (7) complies with the acquisition rules, requirements,  
23 guidelines, and systems acquisition management practices  
24 of the Federal Government.

1     CHEMICAL AGENTS AND MUNITIONS DESTRUCTION;  
2                                     DEFENSE

3         For expenses, not otherwise provided for, necessary  
4 for the destruction of the United States stockpile of lethal  
5 chemical agents and munitions in accordance with the pro-  
6 visions of section 1412 of the Department of Defense Au-  
7 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
8 struction of other chemical warfare materials that are not  
9 in the chemical weapon stockpile, \$1,301,786,000, of  
10 which \$635,843,000 shall be for operation and mainte-  
11 nance, of which no less than \$53,948,000 shall be for the  
12 Chemical Stockpile Emergency Preparedness Program,  
13 consisting of \$22,214,000 for activities on military instal-  
14 lations and \$31,734,000, to remain available until Sep-  
15 tember 30, 2014, to assist State and local governments;  
16 \$18,592,000 shall be for procurement, to remain available  
17 until September 30, 2015, of which \$1,823,000 shall be  
18 for the Chemical Stockpile Emergency Preparedness Pro-  
19 gram to assist State and local governments; and  
20 \$647,351,000, to remain available until September 30,  
21 2014, shall be for research, development, test and evalua-  
22 tion, of which \$627,705,000 shall only be for the Assem-  
23 bled Chemical Weapons Alternatives (ACWA) program.

21 OFFICE OF THE INSPECTOR GENERAL

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1 nance, of which not to exceed \$700,000 is available for  
 2 emergencies and extraordinary expenses to be expended on  
 3 the approval or authority of the Inspector General, and  
 4 payments may be made on the Inspector General's certifi-  
 5 cate of necessity for confidential military purposes; and  
 6 of which \$2,700,000, to remain available until September  
 7 30, 2015, shall be for procurement.

## 8 TITLE VII

### 9 RELATED AGENCIES

#### 10 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 11 DISABILITY SYSTEM FUND

12 For payment to the Central Intelligence Agency Re-  
 13 tirement and Disability System Fund, to maintain the  
 14 proper funding level for continuing the operation of the  
 15 Central Intelligence Agency Retirement and Disability  
 16 System, \$514,000,000.

#### 17 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

18 For necessary expenses of the Intelligence Commu-  
 19 nity Management Account, \$534,421,000.

## 20 TITLE VIII

### 21 GENERAL PROVISIONS

22 SEC. 8001. No part of any appropriation contained  
 23 in this Act shall be used for publicity or propaganda pur-  
 24 poses not authorized by the Congress.

1       SEC. 8002. During the current fiscal year, provisions  
2 of law prohibiting the payment of compensation to, or em-  
3 ployment of, any person not a citizen of the United States  
4 shall not apply to personnel of the Department of Defense:  
5 *Provided*, That salary increases granted to direct and indi-  
6 rect hire foreign national employees of the Department of  
7 Defense funded by this Act shall not be at a rate in excess  
8 of the percentage increase authorized by law for civilian  
9 employees of the Department of Defense whose pay is  
10 computed under the provisions of section 5332 of title 5,  
11 United States Code, or at a rate in excess of the percent-  
12 age increase provided by the appropriate host nation to  
13 its own employees, whichever is higher: *Provided further*,  
14 That this section shall not apply to Department of De-  
15 fense foreign service national employees serving at United  
16 States diplomatic missions whose pay is set by the Depart-  
17 ment of State under the Foreign Service Act of 1980: *Pro-*  
18 *vided further*, That the limitations of this provision shall  
19 not apply to foreign national employees of the Department  
20 of Defense in the Republic of Turkey.

21       SEC. 8003. No part of any appropriation contained  
22 in this Act shall remain available for obligation beyond  
23 the current fiscal year, unless expressly so provided herein.

24       SEC. 8004. No more than 20 percent of the appro-  
25 priations in this Act which are limited for obligation dur-



1 ing the current fiscal year shall be obligated during the  
 2 last 2 months of the fiscal year: *Provided*, That this sec-  
 3 tion shall not apply to obligations for support of active  
 4 duty training of reserve components or summer camp  
 5 training of the Reserve Officers' Training Corps.

6 (TRANSFER OF FUNDS)

7 SEC. 8005. Upon determination by the Secretary of  
 8 Defense that such action is necessary in the national inter-  
 9 est, he may, with the approval of the Office of Manage-  
 10 ment and Budget, transfer not to exceed \$4,000,000,000  
 11 of working capital funds of the Department of Defense  
 12 or funds made available in this Act to the Department  
 13 of Defense for military functions (except military con-  
 14 struction) between such appropriations or funds or any  
 15 subdivision thereof, to be merged with and to be available  
 16 for the same purposes, and for the same time period, as  
 17 the appropriation or fund to which transferred: *Provided*,  
 18 That such authority to transfer may not be used unless  
 19 for higher priority items, based on unforeseen military re-  
 20 quirements, than those for which originally appropriated  
 21 and in no case where the item for which funds are re-  
 22 quested has been denied by the Congress: *Provided further*,  
 23 That the Secretary of Defense shall notify the Congress  
 24 promptly of all transfers made pursuant to this authority  
 25 or any other authority in this Act: *Provided further*, That

1 no part of the funds in this Act shall be available to pre-  
2 pare or present a request to the Committees on Appropria-  
3 tions for reprogramming of funds, unless for higher pri-  
4 ority items, based on unforeseen military requirements,  
5 than those for which originally appropriated and in no  
6 case where the item for which reprogramming is requested  
7 has been denied by the Congress: *Provided further*, That  
8 a request for multiple reprogrammings of funds using au-  
9 thority provided in this section shall be made prior to June  
10 30, 2013: *Provided further*, That transfers among military  
11 personnel appropriations shall not be taken into account  
12 for purposes of the limitation on the amount of funds that  
13 may be transferred under this section.

14 SEC. 8006. (a) With regard to the list of specific pro-  
15 grams, projects, and activities (and the dollar amounts  
16 and adjustments to budget activities corresponding to  
17 such programs, projects, and activities) contained in the  
18 tables titled “Explanation of Project Level Adjustments”  
19 in the explanatory statement described in section 4 (in the  
20 matter preceding division A of this consolidated Act), the  
21 obligation and expenditure of amounts appropriated or  
22 otherwise made available in this Act for those programs,  
23 projects, and activities for which the amounts appro-  
24 priated exceed the amounts requested are hereby required  
25 by law to be carried out in the manner provided by such

1 tables to the same extent as if the tables were included  
2 in the text of this Act.

3       (b) Amounts specified in the referenced tables de-  
4 scribed in subsection (a) shall not be treated as subdivi-  
5 sions of appropriations for purposes of section 8005 of this  
6 Act: *Provided*, That section 8005 shall apply when trans-  
7 fers of the amounts described in subsection (a) occur be-  
8 tween appropriation accounts.

9       SEC. 8007. (a) Not later than 60 days after enact-  
10 ment of this Act, the Department of Defense shall submit  
11 a report to the congressional defense committees to estab-  
12 lish the baseline for application of reprogramming and  
13 transfer authorities for fiscal year 2013: *Provided*, That  
14 the report shall include—

15           (1) a table for each appropriation with a sepa-  
16 rate column to display the President's budget re-  
17 quest, adjustments made by Congress, adjustments  
18 due to enacted rescissions, if appropriate, and the  
19 fiscal year enacted level;

20           (2) a delineation in the table for each appro-  
21 priation both by budget activity and program,  
22 project, and activity as detailed in the Budget Ap-  
23 pendix; and

24           (3) an identification of items of special congres-  
25 sional interest.

1       (b) Notwithstanding section 8005 of this Act, none  
2 of the funds provided in this Act shall be available for  
3 reprogramming or transfer until the report identified in  
4 subsection (a) is submitted to the congressional defense  
5 committees, unless the Secretary of Defense certifies in  
6 writing to the congressional defense committees that such  
7 reprogramming or transfer is necessary as an emergency  
8 requirement.

9                               (TRANSFER OF FUNDS)

10       SEC. 8008. During the current fiscal year, cash bal-  
11 ances in working capital funds of the Department of De-  
12 fense established pursuant to section 2208 of title 10,  
13 United States Code, may be maintained in only such  
14 amounts as are necessary at any time for cash disburse-  
15 ments to be made from such funds: *Provided*, That trans-  
16 fers may be made between such funds: *Provided further*,  
17 That transfers may be made between working capital  
18 funds and the “Foreign Currency Fluctuations, Defense”  
19 appropriation and the “Operation and Maintenance” ap-  
20 propriation accounts in such amounts as may be deter-  
21 mined by the Secretary of Defense, with the approval of  
22 the Office of Management and Budget, except that such  
23 transfers may not be made unless the Secretary of Defense  
24 has notified the Congress of the proposed transfer. Except  
25 in amounts equal to the amounts appropriated to working

1 capital funds in this Act, no obligations may be made  
2 against a working capital fund to procure or increase the  
3 value of war reserve material inventory, unless the Sec-  
4 retary of Defense has notified the Congress prior to any  
5 such obligation.

6       SEC. 8009. Funds appropriated by this Act may not  
7 be used to initiate a special access program without prior  
8 notification 30 calendar days in advance to the congres-  
9 sional defense committees.

10       SEC. 8010. None of the funds provided in this Act  
11 shall be available to initiate: (1) a multiyear contract that  
12 employs economic order quantity procurement in excess of  
13 \$20,000,000 in any one year of the contract or that in-  
14 cludes an unfunded contingent liability in excess of  
15 \$20,000,000; or (2) a contract for advance procurement  
16 leading to a multiyear contract that employs economic  
17 order quantity procurement in excess of \$20,000,000 in  
18 any one year, unless the congressional defense committees  
19 have been notified at least 30 days in advance of the pro-  
20 posed contract award: *Provided*, That no part of any ap-  
21 propriation contained in this Act shall be available to ini-  
22 tiate a multiyear contract for which the economic order  
23 quantity advance procurement is not funded at least to  
24 the limits of the Government's liability: *Provided further*,  
25 That no part of any appropriation contained in this Act

1 shall be available to initiate multiyear procurement con-  
2 tracts for any systems or component thereof if the value  
3 of the multiyear contract would exceed \$500,000,000 un-  
4 less specifically provided in this Act: *Provided further,*  
5 That no multiyear procurement contract can be termi-  
6 nated without 10-day prior notification to the congres-  
7 sional defense committees: *Provided further,* That the exe-  
8 cution of multiyear authority shall require the use of a  
9 present value analysis to determine lowest cost compared  
10 to an annual procurement: *Provided further,* That none of  
11 the funds provided in this Act may be used for a multiyear  
12 contract executed after the date of the enactment of this  
13 Act unless in the case of any such contract—

14           (1) the Secretary of Defense has submitted to  
15 Congress a budget request for full funding of units  
16 to be procured through the contract and, in the case  
17 of a contract for procurement of aircraft, that in-  
18 cludes, for any aircraft unit to be procured through  
19 the contract for which procurement funds are re-  
20 quested in that budget request for production be-  
21 yond advance procurement activities in the fiscal  
22 year covered by the budget, full funding of procure-  
23 ment of such unit in that fiscal year;

24           (2) cancellation provisions in the contract do  
25 not include consideration of recurring manufacturing

1 costs of the contractor associated with the produc-  
 2 tion of unfunded units to be delivered under the con-  
 3 tract;

4 (3) the contract provides that payments to the  
 5 contractor under the contract shall not be made in  
 6 advance of incurred costs on funded units; and

7 (4) the contract does not provide for a price ad-  
 8 justment based on a failure to award a follow-on  
 9 contract.

10 Funds appropriated in title III of this Act may be  
 11 used for a multiyear procurement contract as follows:

12 ~~F/A-18E, F/A-18F, and EA-18G aircraft; up to 10~~  
 13 ~~DDG-51 Arleigh Burke class Flight HA guided missile~~  
 14 ~~destroyers; as well as the AEGIS Weapon Systems; MK~~  
 15 ~~41 Vertical Launching Systems; and Commercial~~  
 16 ~~Broadband Satellite Systems associated with those vessels;~~  
 17 ~~SSN-774 Virginia class submarine and government-fur-~~  
 18 ~~nished equipment; CH-47 Chinook helicopter; and V-22~~  
 19 ~~Osprey aircraft variants.~~

20 SEC. 8011. Within the funds appropriated for the op-  
 21 eration and maintenance of the Armed Forces, funds are  
 22 hereby appropriated pursuant to section 401 of title 10,  
 23 United States Code, for humanitarian and civic assistance  
 24 costs under chapter 20 of title 10, United States Code.  
 25 Such funds may also be obligated for humanitarian and

1 civic assistance costs incidental to authorized operations  
2 and pursuant to authority granted in section 401 of chap-  
3 ter 20 of title 10, United States Code, and these obliga-  
4 tions shall be reported as required by section 401(d) of  
5 title 10, United States Code: *Provided*, That funds avail-  
6 able for operation and maintenance shall be available for  
7 providing humanitarian and similar assistance by using  
8 Civic Action Teams in the Trust Territories of the Pacific  
9 Islands and freely associated states of Micronesia, pursu-  
10 ant to the Compact of Free Association as authorized by  
11 Public Law 99-239: *Provided further*, That upon a deter-  
12 mination by the Secretary of the Army that such action  
13 is beneficial for graduate medical education programs con-  
14 ducted at Army medical facilities located in Hawaii, the  
15 Secretary of the Army may authorize the provision of med-  
16 ical services at such facilities and transportation to such  
17 facilities, on a nonreimbursable basis, for civilian patients  
18 from American Samoa, the Commonwealth of the North-  
19 ern Mariana Islands, the Marshall Islands, the Federated  
20 States of Micronesia, Palau, and Guam.

21 SEC. 8012. (a) During fiscal year 2013, the civilian  
22 personnel of the Department of Defense may not be man-  
23 aged on the basis of any end-strength, and the manage-  
24 ment of such personnel during that fiscal year shall not  
25 be subject to any constraint or limitation (known as an



1 end-strength) on the number of such personnel who may  
2 be employed on the last day of such fiscal year.

3 (b) The fiscal year 2014 budget request for the De-  
4 partment of Defense as well as all justification material  
5 and other documentation supporting the fiscal year 2014  
6 Department of Defense budget request shall be prepared  
7 and submitted to the Congress as if subsections (a) and  
8 (b) of this provision were effective with regard to fiscal  
9 year 2014.

10 (c) Nothing in this section shall be construed to apply  
11 to military (civilian) technicians.

12 SEC. 8013. None of the funds made available by this  
13 Act shall be used in any way, directly or indirectly, to in-  
14 fluence congressional action on any legislation or appro-  
15 priation matters pending before the Congress.

16 SEC. 8014. None of the funds appropriated by this  
17 Act shall be available for the basic pay and allowances of  
18 any member of the Army participating as a full-time stu-  
19 dent and receiving benefits paid by the Secretary of Vet-  
20 erans Affairs from the Department of Defense Education  
21 Benefits Fund when time spent as a full-time student is  
22 credited toward completion of a service commitment: *Pro-*  
23 *vided*, That this section shall not apply to those members  
24 who have reenlisted with this option prior to October 1,

1 1987: *Provided further*, That this section applies only to  
2 active components of the Army.

3 (TRANSFER OF FUNDS)

4 SEC. 8015. Funds appropriated in title III of this Act  
5 for the Department of Defense Pilot Mentor-Protégé Pro-  
6 gram may be transferred to any other appropriation con-  
7 tained in this Act solely for the purpose of implementing  
8 a Mentor-Protégé Program developmental assistance  
9 agreement pursuant to section 831 of the National De-  
10 fense Authorization Act for Fiscal Year 1991 (Public Law  
11 101-510; 10 U.S.C. 2302 note), as amended, under the  
12 authority of this provision or any other transfer authority  
13 contained in this Act.

14 SEC. 8016. None of the funds in this Act may be  
15 available for the purchase by the Department of Defense  
16 (and its departments and agencies) of welded shipboard  
17 anchor and mooring chain 4 inches in diameter and under  
18 unless the anchor and mooring chain are manufactured  
19 in the United States from components which are substan-  
20 tially manufactured in the United States: *Provided*, That  
21 for the purpose of this section, the term “manufactured”  
22 shall include cutting, heat treating, quality control, testing  
23 of chain and welding (including the forging and shot blast-  
24 ing process): *Provided further*, That for the purpose of this  
25 section substantially all of the components of anchor and

1 mooring chain shall be considered to be produced or manu-  
2 factured in the United States if the aggregate cost of the  
3 components produced or manufactured in the United  
4 States exceeds the aggregate cost of the components pro-  
5 duced or manufactured outside the United States: *Pro-*  
6 *vided further,* That when adequate domestic supplies are  
7 not available to meet Department of Defense requirements  
8 on a timely basis, the Secretary of the service responsible  
9 for the procurement may waive this restriction on a case-  
10 by-case basis by certifying in writing to the Committees  
11 on Appropriations that such an acquisition must be made  
12 in order to acquire capability for national security pur-  
13 poses.

14       SEC. 8017. None of the funds available to the De-  
15 partment of Defense may be used to demilitarize or dis-  
16 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
17 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
18 to demilitarize or destroy small arms ammunition or am-  
19 munition components that are not otherwise prohibited  
20 from commercial sale under Federal law, unless the small  
21 arms ammunition or ammunition components are certified  
22 by the Secretary of the Army or designee as unserviceable  
23 or unsafe for further use.

24       SEC. 8018. No more than \$500,000 of the funds ap-  
25 propriated or made available in this Act shall be used dur-

1 ing a single fiscal year for any single relocation of an orga-  
2 nization, unit, activity or function of the Department of  
3 Defense into or within the National Capital Region: *Pro-*  
4 *vided*, That the Secretary of Defense may waive this re-  
5 striction on a case-by-case basis by certifying in writing  
6 to the congressional defense committees that such a relo-  
7 cation is required in the best interest of the Government.

8       SEC. 8019. In addition to the funds provided else-  
9 where in this Act, \$15,000,000 is appropriated only for  
10 incentive payments authorized by section 504 of the In-  
11 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,  
12 That a prime contractor or a subcontractor at any tier  
13 that makes a subcontract award to any subcontractor or  
14 supplier as defined in section 1544 of title 25, United  
15 States Code, or a small business owned and controlled by  
16 an individual or individuals defined under section 4221(9)  
17 of title 25, United States Code, shall be considered a con-  
18 tractor for the purposes of being allowed additional com-  
19 pensation under section 504 of the Indian Financing Act  
20 of 1974 (25 U.S.C. 1544) whenever the prime contract  
21 or subcontract amount is over \$500,000 and involves the  
22 expenditure of funds appropriated by an Act making Ap-  
23 propriations for the Department of Defense with respect  
24 to any fiscal year: *Provided further*, That notwithstanding  
25 section 1906 of title 41, United States Code, this section

1 shall be applicable to any Department of Defense acquisi-  
2 tion of supplies or services, including any contract and any  
3 subcontract at any tier for acquisition of commercial items  
4 produced or manufactured, in whole or in part, by any  
5 subcontractor or supplier defined in section 1544 of title  
6 25, United States Code, or a small business owned and  
7 controlled by an individual or individuals defined under  
8 section 4221(9) of title 25, United States Code.

9       SEC. 8020. Funds appropriated by this Act for the  
10 Defense Media Activity shall not be used for any national  
11 or international political or psychological activities.

12       SEC. 8021. During the current fiscal year, the De-  
13 partment of Defense is authorized to incur obligations of  
14 not to exceed \$350,000,000 for purposes specified in sec-  
15 tion 2350j(c) of title 10, United States Code, in anticipa-  
16 tion of receipt of contributions, only from the Government  
17 of Kuwait, under that section: *Provided*, That upon re-  
18 ceipt, such contributions from the Government of Kuwait  
19 shall be credited to the appropriations or fund which in-  
20 curred such obligations.

21       SEC. 8022. (a) Of the funds made available in this  
22 Act, not less than \$38,634,000 shall be available for the  
23 Civil Air Patrol Corporation, of which—

24               (1) \$28,404,000 shall be available from “Oper-  
25       ation and Maintenance, Air Force” to support Civil

1 Air Patrol Corporation operation and maintenance;  
 2 readiness, counterdrug activities, and drug demand  
 3 reduction activities involving youth programs;

4 ~~(2) \$9,298,000 shall be available from “Aircraft~~  
 5 ~~Procurement, Air Force”;~~ and

6 ~~(3) \$932,000 shall be available from “Other~~  
 7 ~~Procurement, Air Force” for vehicle procurement.~~

8 (b) The Secretary of the Air Force should waive reim-  
 9 bursement for any funds used by the Civil Air Patrol for  
 10 counter-drug activities in support of Federal, State, and  
 11 local government agencies.

12 ~~SEC. 8023. (a) None of the funds appropriated in this~~  
 13 ~~Act are available to establish a new Department of De-~~  
 14 ~~fense (department) federally funded research and develop-~~  
 15 ~~ment center (FFRDC), either as a new entity, or as a~~  
 16 ~~separate entity administrated by an organization man-~~  
 17 ~~aging another FFRDC, or as a nonprofit membership cor-~~  
 18 ~~poration consisting of a consortium of other FFRDCs and~~  
 19 ~~other nonprofit entities.~~

20 (b) No member of a Board of Directors, Trustees,  
 21 Overseers, Advisory Group, Special Issues Panel, Visiting  
 22 Committee, or any similar entity of a defense FFRDC,  
 23 and no paid consultant to any defense FFRDC, except  
 24 when acting in a technical advisory capacity, may be com-  
 25 pensated for his or her services as a member of such enti-

1 ty, or as a paid consultant by more than one FFRDC in  
2 a fiscal year: *Provided*, That a member of any such entity  
3 referred to previously in this subsection shall be allowed  
4 travel expenses and per diem as authorized under the Fed-  
5 eral Joint Travel Regulations, when engaged in the per-  
6 formance of membership duties.

7 (c) Notwithstanding any other provision of law, none  
8 of the funds available to the department from any source  
9 during fiscal year 2013 may be used by a defense FFRDC,  
10 through a fee or other payment mechanism, for construc-  
11 tion of new buildings, for payment of cost sharing for  
12 projects funded by Government grants, for absorption of  
13 contract overruns, or for certain charitable contributions,  
14 not to include employee participation in community service  
15 and/or development.

16 (d) Notwithstanding any other provision of law, of  
17 the funds available to the department during fiscal year  
18 2013, not more than 5,750 staff years of technical effort  
19 (staff years) may be funded for defense FFRDCs: *Pro-*  
20 *vided*, That of the specific amount referred to previously  
21 in this subsection, not more than 1,125 staff years may  
22 be funded for the defense studies and analysis FFRDCs:  
23 *Provided further*, That this subsection shall not apply to  
24 staff years funded in the National Intelligence Program  
25 (NIP) and the Military Intelligence Program (MIP).

1       (e) The Secretary of Defense shall, with the submis-  
2 sion of the department's fiscal year 2014 budget request,  
3 submit a report presenting the specific amounts of staff  
4 years of technical effort to be allocated for each defense  
5 FFRDC during that fiscal year and the associated budget  
6 estimates.

7       SEC. 8024. None of the funds appropriated or made  
8 available in this Act shall be used to procure carbon, alloy,  
9 or armor steel plate for use in any Government-owned fa-  
10 cility or property under the control of the Department of  
11 Defense which were not melted and rolled in the United  
12 States or Canada: *Provided*, That these procurement re-  
13 strictions shall apply to any and all Federal Supply Class  
14 9515, American Society of Testing and Materials (ASTM)  
15 or American Iron and Steel Institute (AISI) specifications  
16 of carbon, alloy or armor steel plate: *Provided further*,  
17 That the Secretary of the military department responsible  
18 for the procurement may waive this restriction on a case-  
19 by-case basis by certifying in writing to the Committees  
20 on Appropriations of the House of Representatives and the  
21 Senate that adequate domestic supplies are not available  
22 to meet Department of Defense requirements on a timely  
23 basis and that such an acquisition must be made in order  
24 to acquire capability for national security purposes: *Pro-*  
25 *vided further*, That these restrictions shall not apply to



1 contracts which are in being as of the date of the enact-  
2 ment of this Act.

3       SEC. 8025. For the purposes of this Act, the term  
4 “congressional defense committees” means the Armed  
5 Services Committee of the House of Representatives, the  
6 Armed Services Committee of the Senate, the Sub-  
7 committee on Defense of the Committee on Appropriations  
8 of the Senate, and the Subcommittee on Defense of the  
9 Committee on Appropriations of the House of Representa-  
10 tives.

11       SEC. 8026. During the current fiscal year, the De-  
12 partment of Defense may acquire the modification, depot  
13 maintenance and repair of aircraft, vehicles and vessels  
14 as well as the production of components and other De-  
15 fense-related articles, through competition between De-  
16 partment of Defense depot maintenance activities and pri-  
17 vate firms: *Provided*, That the Senior Acquisition Execu-  
18 tive of the military department or Defense Agency con-  
19 cerned, with power of delegation, shall certify that success-  
20 ful bids include comparable estimates of all direct and in-  
21 direct costs for both public and private bids: *Provided fur-*  
22 *ther*, That Office of Management and Budget Circular A-  
23 76 shall not apply to competitions conducted under this  
24 section.

1       SEC. 8027. (a)(1) If the Secretary of Defense, after  
2   consultation with the United States Trade Representative,  
3   determines that a foreign country which is party to an  
4   agreement described in paragraph (2) has violated the  
5   terms of the agreement by discriminating against certain  
6   types of products produced in the United States that are  
7   covered by the agreement, the Secretary of Defense shall  
8   rescind the Secretary's blanket waiver of the Buy Amer-  
9   ican Act with respect to such types of products produced  
10  in that foreign country.

11       (2) An agreement referred to in paragraph (1) is any  
12  reciprocal defense procurement memorandum of under-  
13  standing, between the United States and a foreign country  
14  pursuant to which the Secretary of Defense has prospec-  
15  tively waived the Buy American Act for certain products  
16  in that country.

17       (b) The Secretary of Defense shall submit to the Con-  
18  gress a report on the amount of Department of Defense  
19  purchases from foreign entities in fiscal year 2013. Such  
20  report shall separately indicate the dollar value of items  
21  for which the Buy American Act was waived pursuant to  
22  any agreement described in subsection (a)(2), the Trade  
23  Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
24  international agreement to which the United States is a  
25  party.

1       (c) For purposes of this section, the term “Buy  
2 American Act” means chapter 83 of title 41, United  
3 States Code.

4       ~~SEC. 8028.~~ During the current fiscal year, amounts  
5 contained in the Department of Defense Overseas Military  
6 Facility Investment Recovery Account established by sec-  
7 tion 2921(c)(1) of the National Defense Authorization Act  
8 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall  
9 be available until expended for the payments specified by  
10 section 2921(c)(2) of that Act.

11       ~~SEC. 8029.~~ (a) Notwithstanding any other provision  
12 of law, the Secretary of the Air Force may convey at no  
13 cost to the Air Force, without consideration, to Indian  
14 tribes located in the States of Nevada, Idaho, North Da-  
15 kota, South Dakota, Montana, Oregon, Minnesota, and  
16 Washington relocatable military housing units located at  
17 Grand Forks Air Force Base, Malmstrom Air Force Base,  
18 Mountain Home Air Force Base, Ellsworth Air Force  
19 Base, and Minot Air Force Base that are excess to the  
20 needs of the Air Force.

21       (b) The Secretary of the Air Force shall convey, at  
22 no cost to the Air Force, military housing units under sub-  
23 section (a) in accordance with the request for such units  
24 that are submitted to the Secretary by the Operation  
25 Walking Shield Program on behalf of Indian tribes located

1 in the States of Nevada, Idaho, North Dakota, South Da-  
2 kota, Montana, Oregon, Minnesota, and Washington. Any  
3 such conveyance shall be subject to the condition that the  
4 housing units shall be removed within a reasonable period  
5 of time, as determined by the Secretary.

6 (c) The Operation Walking Shield Program shall re-  
7 solve any conflicts among requests of Indian tribes for  
8 housing units under subsection (a) before submitting re-  
9 quests to the Secretary of the Air Force under subsection  
10 (b).

11 (d) In this section, the term “Indian tribe” means  
12 any recognized Indian tribe included on the current list  
13 published by the Secretary of the Interior under section  
14 104 of the Federally Recognized Indian Tribe Act of 1994  
15 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–  
16 4).

17 SEC. 8030. During the current fiscal year, appropria-  
18 tions which are available to the Department of Defense  
19 for operation and maintenance may be used to purchase  
20 items having an investment item unit cost of not more  
21 than \$250,000.

22 SEC. 8031. (a) During the current fiscal year, none  
23 of the appropriations or funds available to the Department  
24 of Defense Working Capital Funds shall be used for the  
25 purchase of an investment item for the purpose of acquir-

1 ing a new inventory item for sale or anticipated sale dur-  
2 ing the current fiscal year or a subsequent fiscal year to  
3 customers of the Department of Defense Working Capital  
4 Funds if such an item would not have been chargeable  
5 to the Department of Defense Business Operations Fund  
6 during fiscal year 1994 and if the purchase of such an  
7 investment item would be chargeable during the current  
8 fiscal year to appropriations made to the Department of  
9 Defense for procurement.

10 (b) The fiscal year 2014 budget request for the De-  
11 partment of Defense as well as all justification material  
12 and other documentation supporting the fiscal year 2014  
13 Department of Defense budget shall be prepared and sub-  
14 mitted to the Congress on the basis that any equipment  
15 which was classified as an end item and funded in a pro-  
16 curement appropriation contained in this Act shall be  
17 budgeted for in a proposed fiscal year 2014 procurement  
18 appropriation and not in the supply management business  
19 area or any other area or category of the Department of  
20 Defense Working Capital Funds.

21 SEC. 8032. None of the funds appropriated by this  
22 Act for programs of the Central Intelligence Agency shall  
23 remain available for obligation beyond the current fiscal  
24 year, except for funds appropriated for the Reserve for  
25 Contingencies, which shall remain available until Sep-

1   tember 30, 2014: *Provided*, That funds appropriated,  
2   transferred, or otherwise credited to the Central Intel-  
3   ligence Agency Central Services Working Capital Fund  
4   during this or any prior or subsequent fiscal year shall  
5   remain available until expended: *Provided further*, That  
6   any funds appropriated or transferred to the Central Intel-  
7   ligence Agency for advanced research and development ac-  
8   quisition, for agent operations, and for covert action pro-  
9   grams authorized by the President under section 503 of  
10  the National Security Act of 1947, as amended, shall re-  
11  main available until September 30, 2014.

12       SEC. 8033. Notwithstanding any other provision of  
13  law, funds made available in this Act for the Defense In-  
14  telligence Agency may be used for the design, develop-  
15  ment, and deployment of General Defense Intelligence  
16  Program intelligence communications and intelligence in-  
17  formation systems for the Services, the Unified and Spec-  
18  ified Commands, and the component commands.

19       SEC. 8034. Of the funds appropriated to the Depart-  
20  ment of Defense under the heading “Operation and Main-  
21  tenance, Defense-Wide”, not less than \$12,000,000 shall  
22  be made available only for the mitigation of environmental  
23  impacts, including training and technical assistance to  
24  tribes, related administrative support, the gathering of in-  
25  formation, documenting of environmental damage, and de-

1 veloping a system for prioritization of mitigation and cost  
2 to complete estimates for mitigation, on Indian lands re-  
3 sulting from Department of Defense activities.

4       ~~SEC. 8035.~~ (a) None of the funds appropriated in this  
5 Act may be expended by an entity of the Department of  
6 Defense unless the entity, in expending the funds, com-  
7 plies with the Buy American Act. For purposes of this  
8 subsection, the term “Buy American Act” means chapter  
9 83 of title 41, United States Code.

10       (b) If the Secretary of Defense determines that a per-  
11 son has been convicted of intentionally affixing a label  
12 bearing a “Made in America” inscription to any product  
13 sold in or shipped to the United States that is not made  
14 in America, the Secretary shall determine, in accordance  
15 with section 2410f of title 10, United States Code, wheth-  
16 er the person should be debarred from contracting with  
17 the Department of Defense.

18       (c) In the case of any equipment or products pur-  
19 chased with appropriations provided under this Act, it is  
20 the sense of the Congress that any entity of the Depart-  
21 ment of Defense, in expending the appropriation, purchase  
22 only American-made equipment and products, provided  
23 that American-made equipment and products are cost-  
24 competitive, quality competitive, and available in a timely  
25 fashion.

1       SEC. 8036. None of the funds appropriated by this  
2 Act shall be available for a contract for studies, analysis,  
3 or consulting services entered into without competition on  
4 the basis of an unsolicited proposal unless the head of the  
5 activity responsible for the procurement determines—

6           (1) as a result of thorough technical evaluation,  
7 only one source is found fully qualified to perform  
8 the proposed work;

9           (2) the purpose of the contract is to explore an  
10 unsolicited proposal which offers significant sci-  
11 entific or technological promise, represents the prod-  
12 uct of original thinking, and was submitted in con-  
13 fidence by one source; or

14           (3) the purpose of the contract is to take ad-  
15 vantage of unique and significant industrial accom-  
16 plishment by a specific concern, or to insure that a  
17 new product or idea of a specific concern is given fi-  
18 nancial support: *Provided*, That this limitation shall  
19 not apply to contracts in an amount of less than  
20 \$25,000, contracts related to improvements of equip-  
21 ment that is in development or production, or con-  
22 tracts as to which a civilian official of the Depart-  
23 ment of Defense, who has been confirmed by the  
24 Senate, determines that the award of such contract  
25 is in the interest of the national defense.



1       ~~SEC. 8037. (a) Except as provided in subsections (b)~~  
2     ~~and (c), none of the funds made available by this Act may~~  
3     ~~be used—~~

4             ~~(1) to establish a field operating agency; or~~

5             ~~(2) to pay the basic pay of a member of the~~  
6     ~~Armed Forces or civilian employee of the depart-~~  
7     ~~ment who is transferred or reassigned from a head-~~  
8     ~~quarters activity if the member or employee's place~~  
9     ~~of duty remains at the location of that headquarters.~~

10    ~~(b) The Secretary of Defense or Secretary of a mili-~~  
11   ~~tary department may waive the limitations in subsection~~  
12   ~~(a), on a case-by-case basis, if the Secretary determines,~~  
13   ~~and certifies to the Committees on Appropriations of the~~  
14   ~~House of Representatives and Senate that the granting~~  
15   ~~of the waiver will reduce the personnel requirements or~~  
16   ~~the financial requirements of the department.~~

17    ~~(c) This section does not apply to—~~

18             ~~(1) field operating agencies funded within the~~  
19     ~~National Intelligence Program;~~

20             ~~(2) an Army field operating agency established~~  
21     ~~to eliminate, mitigate, or counter the effects of im-~~  
22     ~~provised explosive devices; and, as determined by the~~  
23     ~~Secretary of the Army, other similar threats; or~~

24             ~~(3) an Army field operating agency established~~  
25     ~~to improve the effectiveness and efficiencies of bio-~~

1        metric activities and to integrate common biometric  
2        technologies throughout the Department of Defense.

3        ~~SEC. 8038.~~ None of the funds made available in this  
4        Act may be used to approve or license the sale of the F-  
5        22A advanced tactical fighter to any foreign government:  
6        *Provided,* That the Department of Defense may conduct  
7        or participate in studies, research, design and other activi-  
8        ties to define and develop a future export version of the  
9        F-22A that protects classified and sensitive information,  
10       technologies and U.S. warfighting capabilities.

11       ~~SEC. 8039.~~ The Secretary of Defense, notwith-  
12       standing any other provision of law, acting through the  
13       Office of Economic Adjustment of the Department of De-  
14       fense, may use funds made available in this Act under the  
15       heading “Operation and Maintenance, Defense-Wide” to  
16       make grants and supplement other Federal funds in ac-  
17       cordance with the guidance provided in the explanatory  
18       statement described in section 4 (in the matter preceding  
19       division A of this consolidated Act).

20       ~~SEC. 8040.~~ (a) None of the funds appropriated by  
21       this Act shall be available to convert to contractor per-  
22       formance an activity or function of the Department of De-  
23       fense that, on or after the date of the enactment of this  
24       Act, is performed by Department of Defense civilian em-  
25       ployees unless—

1           (1) the conversion is based on the result of a  
2           public-private competition that includes a most effi-  
3           cient and cost effective organization plan developed  
4           by such activity or function;

5           (2) the Competitive Sourcing Official deter-  
6           mines that, over all performance periods stated in  
7           the solicitation of offers for performance of the ac-  
8           tivity or function, the cost of performance of the ac-  
9           tivity or function by a contractor would be less costly  
10          to the Department of Defense by an amount that  
11          equals or exceeds the lesser of—

12                (A) 10 percent of the most efficient organi-  
13                zation's personnel-related costs for performance  
14                of that activity or function by Federal employ-  
15                ees; or

16                (B) \$10,000,000; and

17          (3) the contractor does not receive an advan-  
18          tage for a proposal that would reduce costs for the  
19          Department of Defense by—

20                (A) not making an employer-sponsored  
21                health insurance plan available to the workers  
22                who are to be employed in the performance of  
23                that activity or function under the contract; or

24                (B) offering to such workers an employer-  
25                sponsored health benefits plan that requires the

1 employer to contribute less towards the pre-  
2 mium or subscription share than the amount  
3 that is paid by the Department of Defense for  
4 health benefits for civilian employees under  
5 chapter 89 of title 5, United States Code.

6 (b)(1) The Department of Defense, without regard  
7 to subsection (a) of this section or subsection (a), (b), or  
8 (c) of section 2461 of title 40, United States Code, and  
9 notwithstanding any administrative regulation, require-  
10 ment, or policy to the contrary shall have full authority  
11 to enter into a contract for the performance of any com-  
12 mercial or industrial type function of the Department of  
13 Defense that—

14 (A) is included on the procurement list estab-  
15 lished pursuant to section 2 of the Javits-Wagner-  
16 O'Day Act (section 8503 of title 41, United States  
17 Code);

18 (B) is planned to be converted to performance  
19 by a qualified nonprofit agency for the blind or by  
20 a qualified nonprofit agency for other severely handi-  
21 capped individuals in accordance with that Act; or

22 (C) is planned to be converted to performance  
23 by a qualified firm under at least 51 percent owner-  
24 ship by an Indian tribe, as defined in section 4(e)  
25 of the Indian Self-Determination and Education As-

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

SEC. 8041. Of the funds appropriated in Department  
of Defense Appropriations Acts, the following funds are  
hereby rescinded from the following accounts and pro-  
grams in the specified amounts:

21 “Shipbuilding and Conversion, Navy, 2007/  
22 2018”: DDG-51 Destroyer, \$98,400,000;  
23 “Shipbuilding and Conversion, Navy, 2007/  
24 2018”: DDG-51 Destroyer Advance Procurement,  
25 \$2,500,000;

1           ~~“Shipbuilding and Conversion, Navy, 2007/~~  
2           ~~2018”: CVN Refueling Overhaul, \$14,100,000;~~  
3           ~~“Procurement of Ammunition, Army, 2011/~~  
4           ~~2013”, \$14,862,000;~~  
5           ~~“Other Procurement, Army, 2011/2013”,~~  
6           ~~\$108,098,000;~~  
7           ~~“Aircraft Procurement, Navy, 2011/2013”,~~  
8           ~~\$43,860,000;~~  
9           ~~“Shipbuilding and Conversion, Navy, 2011/~~  
10          ~~2015”: DDG-51 Destroyer, \$215,300,000;~~  
11          ~~“Weapons Procurement, Navy, 2011/2013”,~~  
12          ~~\$22,000,000;~~  
13          ~~“Aircraft Procurement, Air Force, 2011/2013”,~~  
14          ~~\$93,400,000;~~  
15          ~~“Other Procurement, Air Force, 2011/2013”,~~  
16          ~~\$9,500,000;~~  
17          ~~“Operation and Maintenance, Defense-Wide,~~  
18          ~~2012/XXXX”, \$21,000,000;~~  
19          ~~“Aircraft Procurement, Army, 2012/2014”,~~  
20          ~~\$47,400,000;~~  
21          ~~“Other Procurement, Army, 2012/2014”,~~  
22          ~~\$179,608,000;~~  
23          ~~“Aircraft Procurement, Navy, 2012/2014”,~~  
24          ~~\$19,040,000;~~

1           ~~“Shipbuilding and Conversion, Navy, 2012/~~  
2           ~~2016”: Littoral Combat Ship, \$28,800,000;~~  
3           ~~“Shipbuilding and Conversion, Navy, 2012/~~  
4           ~~2016”: DDG-51 Destroyer, \$83,000,000;~~  
5           ~~“Weapons Procurement, Navy, 2012/2014”,~~  
6           ~~\$36,467,000;~~  
7           ~~“Procurement of Ammunition, Navy and Ma-~~  
8           ~~rine Corps, 2012/2014”, \$16,300,000;~~  
9           ~~“Procurement, Marine Corps, 2012/2014”,~~  
10          ~~\$132,555,000;~~  
11          ~~“Aircraft Procurement, Air Force, 2012/2014”,~~  
12          ~~\$394,299,000;~~  
13          ~~“Missile Procurement, Air Force, 2012/2014”,~~  
14          ~~\$52,898,000;~~  
15          ~~“Other Procurement, Air Force, 2012/2014”,~~  
16          ~~\$55,800,000;~~  
17          ~~“Procurement, Defense-Wide, 2012/2014”,~~  
18          ~~\$16,000,000;~~  
19          ~~“Research, Development, Test and Evaluation,~~  
20          ~~Army, 2012/2013”, \$41,000,000;~~  
21          ~~“Research, Development, Test and Evaluation,~~  
22          ~~Navy, 2012/2013”, \$246,800,000;~~  
23          ~~“Research, Development, Test and Evaluation,~~  
24          ~~Air Force, 2012/2013”, \$149,460,000.~~

1       ~~SEC. 8042.~~ None of the funds available in this Act  
2 may be used to reduce the authorized positions for mili-  
3 tary technicians (dual status) of the Army National  
4 Guard, Air National Guard, Army Reserve and Air Force  
5 Reserve for the purpose of applying any administratively  
6 imposed civilian personnel ceiling, freeze, or reduction on  
7 military technicians (dual status), unless such reductions  
8 are a direct result of a reduction in military force struc-  
9 ture.

10       ~~SEC. 8043.~~ None of the funds appropriated or other-  
11 wise made available in this Act may be obligated or ex-  
12 pended for assistance to the Democratic People's Republic  
13 of Korea unless specifically appropriated for that purpose.

14       ~~SEC. 8044.~~ Funds appropriated in this Act for oper-  
15 ation and maintenance of the Military Departments, Com-  
16 batant Commands and Defense Agencies shall be available  
17 for reimbursement of pay, allowances and other expenses  
18 which would otherwise be incurred against appropriations  
19 for the National Guard and Reserve when members of the  
20 National Guard and Reserve provide intelligence or coun-  
21 terintelligence support to Combatant Commands, Defense  
22 Agencies and Joint Intelligence Activities, including the  
23 activities and programs included within the National Intel-  
24 ligence Program and the Military Intelligence Program:  
25 *Provided*, That nothing in this section authorizes deviation



1 from established Reserve and National Guard personnel  
2 and training procedures.

3       ~~SEC. 8045.~~ During the current fiscal year, none of  
4 the funds appropriated in this Act may be used to reduce  
5 the civilian medical and medical support personnel as-  
6 signed to military treatment facilities below the September  
7 30, 2003, level: *Provided,* That the Service Surgeons Gen-  
8 eral may waive this section by certifying to the congres-  
9 sional defense committees that the beneficiary population  
10 is declining in some catchment areas and civilian strength  
11 reductions may be consistent with responsible resource  
12 stewardship and capitation-based budgeting.

13       ~~SEC. 8046.~~ (a) None of the funds available to the  
14 Department of Defense for any fiscal year for drug inter-  
15 diction or counter-drug activities may be transferred to  
16 any other department or agency of the United States ex-  
17 cept as specifically provided in an appropriations law.

18       ~~(b)~~ None of the funds available to the Central Intel-  
19 ligence Agency for any fiscal year for drug interdiction  
20 and counter-drug activities may be transferred to any  
21 other department or agency of the United States except  
22 as specifically provided in an appropriations law.

23       ~~SEC. 8047.~~ None of the funds appropriated by this  
24 Act may be used for the procurement of ball and roller  
25 bearings other than those produced by a domestic source

1 and of domestic origin: *Provided*, That the Secretary of  
2 the military department responsible for such procurement  
3 may waive this restriction on a case-by-case basis by certi-  
4 fying in writing to the Committees on Appropriations of  
5 the House of Representatives and the Senate, that ade-  
6 quate domestic supplies are not available to meet Depart-  
7 ment of Defense requirements on a timely basis and that  
8 such an acquisition must be made in order to acquire ca-  
9 pability for national security purposes: *Provided further*,  
10 That this restriction shall not apply to the purchase of  
11 “commercial items”, as defined by section 4(12) of the  
12 Office of Federal Procurement Policy Act, except that the  
13 restriction shall apply to ball or roller bearings purchased  
14 as end items.

15       SEC. 8048. None of the funds in this Act may be  
16 used to purchase any supercomputer which is not manu-  
17 factured in the United States, unless the Secretary of De-  
18 fense certifies to the congressional defense committees  
19 that such an acquisition must be made in order to acquire  
20 capability for national security purposes that is not avail-  
21 able from United States manufacturers.

22       SEC. 8049. None of the funds made available in this  
23 or any other Act may be used to pay the salary of any  
24 officer or employee of the Department of Defense who ap-  
25 proves or implements the transfer of administrative re-

1 sponsibilities or budgetary resources of any program;  
2 project, or activity financed by this Act to the jurisdiction  
3 of another Federal agency not financed by this Act with-  
4 out the express authorization of Congress: *Provided*, That  
5 this limitation shall not apply to transfers of funds ex-  
6 pressly provided for in Defense Appropriations Acts, or  
7 provisions of Acts providing supplemental appropriations  
8 for the Department of Defense.

9       SEC. 8050. (a) Notwithstanding any other provision  
10 of law, none of the funds available to the Department of  
11 Defense for the current fiscal year may be obligated or  
12 expended to transfer to another nation or an international  
13 organization any defense articles or services (other than  
14 intelligence services) for use in the activities described in  
15 subsection (b) unless the congressional defense commit-  
16 tees, the Committee on Foreign Affairs of the House of  
17 Representatives, and the Committee on Foreign Relations  
18 of the Senate are notified 15 days in advance of such  
19 transfer.

20       (b) This section applies to—

21           (1) any international peacekeeping or peace-en-  
22       forcement operation under the authority of chapter  
23       VI or chapter VII of the United Nations Charter  
24       under the authority of a United Nations Security  
25       Council resolution; and

1           ~~(2) any other international peacekeeping, peace-~~  
2           ~~enforcement, or humanitarian assistance operation.~~

3           ~~(c) A notice under subsection (a) shall include the~~  
4           ~~following:~~

5           ~~(1) A description of the equipment, supplies, or~~  
6           ~~services to be transferred.~~

7           ~~(2) A statement of the value of the equipment,~~  
8           ~~supplies, or services to be transferred.~~

9           ~~(3) In the case of a proposed transfer of equip-~~  
10          ~~ment or supplies—~~

11           ~~(A) a statement of whether the inventory~~  
12           ~~requirements of all elements of the Armed~~  
13           ~~Forces (including the reserve components) for~~  
14           ~~the type of equipment or supplies to be trans-~~  
15           ~~ferred have been met; and~~

16           ~~(B) a statement of whether the items pro-~~  
17           ~~posed to be transferred will have to be replaced~~  
18           ~~and, if so, how the President proposes to pro-~~  
19           ~~vide funds for such replacement.~~

20          ~~SEC. 8051. None of the funds available to the De-~~  
21          ~~partment of Defense under this Act shall be obligated or~~  
22          ~~expended to pay a contractor under a contract with the~~  
23          ~~Department of Defense for costs of any amount paid by~~  
24          ~~the contractor to an employee when—~~

1           (1) such costs are for a bonus or otherwise in  
2           excess of the normal salary paid by the contractor  
3           to the employee; and

4           (2) such bonus is part of restructuring costs as-  
5           sociated with a business combination.

6           (INCLUDING TRANSFER OF FUNDS)

7           SEC. 8052. During the current fiscal year, no more  
8           than \$30,000,000 of appropriations made in this Act  
9           under the heading “Operation and Maintenance, Defense-  
10          Wide” may be transferred to appropriations available for  
11          the pay of military personnel, to be merged with, and to  
12          be available for the same time period as the appropriations  
13          to which transferred, to be used in support of such per-  
14          sonnel in connection with support and services for eligible  
15          organizations and activities outside the Department of De-  
16          fense pursuant to section 2012 of title 10, United States  
17          Code.

18          SEC. 8053. During the current fiscal year, in the case  
19          of an appropriation account of the Department of Defense  
20          for which the period of availability for obligation has ex-  
21          pired or which has closed under the provisions of section  
22          1552 of title 31, United States Code, and which has a  
23          negative unliquidated or unexpended balance, an obliga-  
24          tion or an adjustment of an obligation may be charged

1 to any current appropriation account for the same purpose  
2 as the expired or closed account if—

3       (1) the obligation would have been properly  
4 chargeable (except as to amount) to the expired or  
5 closed account before the end of the period of avail-  
6 ability or closing of that account;

7       (2) the obligation is not otherwise properly  
8 chargeable to any current appropriation account of  
9 the Department of Defense; and

10       (3) in the case of an expired account, the obli-  
11 gation is not chargeable to a current appropriation  
12 of the Department of Defense under the provisions  
13 of section 1405(b)(8) of the National Defense Au-  
14 thorization Act for Fiscal Year 1991, Public Law  
15 101-510, as amended (31 U.S.C. 1551 note): *Pro-*  
16 *vided*, That in the case of an expired account, if sub-  
17 sequent review or investigation discloses that there  
18 was not in fact a negative unliquidated or unex-  
19 pended balance in the account, any charge to a cur-  
20 rent account under the authority of this section shall  
21 be reversed and recorded against the expired ac-  
22 count: *Provided further*, That the total amount  
23 charged to a current appropriation under this sec-  
24 tion may not exceed an amount equal to 1 percent  
25 of the total appropriation for that account.

1        SEC. 8054. (a) Notwithstanding any other provision  
2 of law, the Chief of the National Guard Bureau may per-  
3 mit the use of equipment of the National Guard Distance  
4 Learning Project by any person or entity on a space-avail-  
5 able, reimbursable basis. The Chief of the National Guard  
6 Bureau shall establish the amount of reimbursement for  
7 such use on a case-by-case basis.

8        (b) Amounts collected under subsection (a) shall be  
9 credited to funds available for the National Guard Dis-  
10 tance Learning Project and be available to defray the costs  
11 associated with the use of equipment of the project under  
12 that subsection. Such funds shall be available for such  
13 purposes without fiscal year limitation.

14        SEC. 8055. Using funds made available by this Act  
15 or any other Act, the Secretary of the Air Force, pursuant  
16 to a determination under section 2690 of title 10, United  
17 States Code, may implement cost-effective agreements for  
18 required heating facility modernization in the  
19 Kaiserslautern Military Community in the Federal Repub-  
20 lic of Germany: *Provided*, That in the City of  
21 Kaiserslautern and at the Rhine Ordnance Barracks area,  
22 such agreements will include the use of United States an-  
23 thracite as the base load energy for municipal district heat  
24 to the United States Defense installations: *Provided fur-*  
25 *ther*, That at Landstuhl Army Regional Medical Center

1 and Ramstein Air Base, furnished heat may be obtained  
2 from private, regional or municipal services, if provisions  
3 are included for the consideration of United States coal  
4 as an energy source.

5       SEC. 8056. None of the funds appropriated in title  
6 IV of this Act may be used to procure end-items for deliv-  
7 ery to military forces for operational training, operational  
8 use or inventory requirements: *Provided*, That this restric-  
9 tion does not apply to end-items used in development,  
10 prototyping, and test activities preceding and leading to  
11 acceptance for operational use: *Provided further*, That this  
12 restriction does not apply to programs funded within the  
13 National Intelligence Program: *Provided further*, That the  
14 Secretary of Defense may waive this restriction on a case-  
15 by-case basis by certifying in writing to the Committees  
16 on Appropriations of the House of Representatives and the  
17 Senate that it is in the national security interest to do  
18 so.

19       SEC. 8057. (a) The Secretary of Defense may, on a  
20 case-by-case basis, waive with respect to a foreign country  
21 each limitation on the procurement of defense items from  
22 foreign sources provided in law if the Secretary determines  
23 that the application of the limitation with respect to that  
24 country would invalidate cooperative programs entered  
25 into between the Department of Defense and the foreign



1 country, or would invalidate reciprocal trade agreements  
 2 for the procurement of defense items entered into under  
 3 section ~~2531~~ of title 10, United States Code, and the  
 4 country does not discriminate against the same or similar  
 5 defense items produced in the United States for that coun-  
 6 try.

7 (b) Subsection (a) applies with respect to—

8 (1) contracts and subcontracts entered into on  
 9 or after the date of the enactment of this Act; and

10 (2) options for the procurement of items that  
 11 are exercised after such date under contracts that  
 12 are entered into before such date if the option prices  
 13 are adjusted for any reason other than the applica-  
 14 tion of a waiver granted under subsection (a).

15 (c) Subsection (a) does not apply to a limitation re-  
 16 garding construction of public vessels, ball and roller bear-  
 17 ings, food, and clothing or textile materials as defined by  
 18 section 11 (chapters 50–65) of the Harmonized Tariff  
 19 Schedule and products classified under headings 4010,  
 20 4202, 4203, 6401 through 6406, 6505, 7019, 7218  
 21 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
 22 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

23 SEC. 8058. (a) None of the funds made available by  
 24 this Act may be used to support any training program in-  
 25 volving a unit of the security forces or police of a foreign

1 country if the Secretary of Defense has received credible  
2 information from the Department of State that the unit  
3 has committed a gross violation of human rights, unless  
4 all necessary corrective steps have been taken.

5 (b) The Secretary of Defense, in consultation with the  
6 Secretary of State, shall ensure that prior to a decision  
7 to conduct any training program referred to in subsection  
8 (a), full consideration is given to all credible information  
9 available to the Department of State relating to human  
10 rights violations by foreign security forces.

11 (c) The Secretary of Defense, after consultation with  
12 the Secretary of State, may waive the prohibition in sub-  
13 section (a) if he determines that such waiver is required  
14 by extraordinary circumstances.

15 (d) Not more than 15 days after the exercise of any  
16 waiver under subsection (c), the Secretary of Defense shall  
17 submit a report to the congressional defense committees  
18 describing the extraordinary circumstances, the purpose  
19 and duration of the training program, the United States  
20 forces and the foreign security forces involved in the train-  
21 ing program, and the information relating to human rights  
22 violations that necessitates the waiver.

23 SEC. 8059. None of the funds appropriated or other-  
24 wise made available by this or other Department of De-  
25 fense Appropriations Acts may be obligated or expended

1 for the purpose of performing repairs or maintenance to  
2 military family housing units of the Department of De-  
3 fense, including areas in such military family housing  
4 units that may be used for the purpose of conducting offi-  
5 cial Department of Defense business.

6       SEC. 8060. Notwithstanding any other provision of  
7 law, funds appropriated in this Act under the heading  
8 “Research, Development, Test and Evaluation, Defense-  
9 Wide” for any new start advanced concept technology  
10 demonstration project or joint capability demonstration  
11 project may only be obligated 45 days after a report, in-  
12 cluding a description of the project, the planned acquisi-  
13 tion and transition strategy and its estimated annual and  
14 total cost, has been provided in writing to the congres-  
15 sional defense committees: *Provided*, That the Secretary  
16 of Defense may waive this restriction on a case-by-case  
17 basis by certifying to the congressional defense committees  
18 that it is in the national interest to do so.

19       SEC. 8061. The Secretary of Defense shall provide  
20 a classified quarterly report beginning 30 days after enact-  
21 ment of this Act, to the House and Senate Appropriations  
22 Committees, Subcommittees on Defense on certain mat-  
23 ters as directed in the classified annex accompanying this  
24 Act.

1       ~~SEC. 8062.~~ During the current fiscal year, none of  
2 the funds available to the Department of Defense may be  
3 used to provide support to another department or agency  
4 of the United States if such department or agency is more  
5 than 90 days in arrears in making payment to the Depart-  
6 ment of Defense for goods or services previously provided  
7 to such department or agency on a reimbursable basis:  
8 *Provided*, That this restriction shall not apply if the de-  
9 partment is authorized by law to provide support to such  
10 department or agency on a nonreimbursable basis, and is  
11 providing the requested support pursuant to such author-  
12 ity: *Provided further*, That the Secretary of Defense may  
13 waive this restriction on a case-by-case basis by certifying  
14 in writing to the Committees on Appropriations of the  
15 House of Representatives and the Senate that it is in the  
16 national security interest to do so.

17       ~~SEC. 8063.~~ Notwithstanding section 12310(b) of title  
18 10, United States Code, a Reserve who is a member of  
19 the National Guard serving on full-time National Guard  
20 duty under section 502(f) of title 32, United States Code,  
21 may perform duties in support of the ground-based ele-  
22 ments of the National Ballistic Missile Defense System.

23       ~~SEC. 8064.~~ None of the funds provided in this Act  
24 may be used to transfer to any nongovernmental entity  
25 ammunition held by the Department of Defense that has

1 a center-fire cartridge and a United States military no-  
2 menelature designation of “armor penetrator”, “armor  
3 piercing (AP)”, “armor piercing incendiary (API)”, or  
4 “armor-piercing incendiary tracer (API-T)”, except to an  
5 entity performing demilitarization services for the Depart-  
6 ment of Defense under a contract that requires the entity  
7 to demonstrate to the satisfaction of the Department of  
8 Defense that armor piercing projectiles are either: (1) ren-  
9 dered incapable of reuse by the demilitarization process;  
10 or (2) used to manufacture ammunition pursuant to a con-  
11 tract with the Department of Defense or the manufacture  
12 of ammunition for export pursuant to a License for Per-  
13 manent Export of Unclassified Military Articles issued by  
14 the Department of State.

15       SEC. 8065. Notwithstanding any other provision of  
16 law, the Chief of the National Guard Bureau, or his des-  
17 ignee, may waive payment of all or part of the consider-  
18 ation that otherwise would be required under section 2667  
19 of title 10, United States Code, in the case of a lease of  
20 personal property for a period not in excess of 1 year to  
21 any organization specified in section 508(d) of title 32,  
22 United States Code, or any other youth, social, or fra-  
23 ternal nonprofit organization as may be approved by the  
24 Chief of the National Guard Bureau, or his designee, on  
25 a case-by-case basis.

1       ~~SEC. 8066.~~ None of the funds appropriated by this  
2 Act shall be used for the support of any nonappropriated  
3 funds activity of the Department of Defense that procures  
4 malt beverages and wine with nonappropriated funds for  
5 resale (including such alcoholic beverages sold by the  
6 drink) on a military installation located in the United  
7 States unless such malt beverages and wine are procured  
8 within that State, or in the case of the District of Colum-  
9 bia, within the District of Columbia, in which the military  
10 installation is located: *Provided*, That in a case in which  
11 the military installation is located in more than one State,  
12 purchases may be made in any State in which the installa-  
13 tion is located: *Provided further*, That such local procure-  
14 ment requirements for malt beverages and wine shall  
15 apply to all alcoholic beverages only for military installa-  
16 tions in States which are not contiguous with another  
17 State: *Provided further*, That alcoholic beverages other  
18 than wine and malt beverages, in contiguous States and  
19 the District of Columbia shall be procured from the most  
20 competitive source, price and other factors considered.

21                   (INCLUDING TRANSFER OF FUNDS)

22       ~~SEC. 8067.~~ Of the amounts appropriated in this Act  
23 under the heading “Operation and Maintenance, Army”,  
24 \$133,381,000 shall remain available until expended: *Pro-*  
25 *vided*, That notwithstanding any other provision of law,

1 the Secretary of Defense is authorized to transfer such  
 2 funds to other activities of the Federal Government: *Pro-*  
 3 *vided further*, That the Secretary of Defense is authorized  
 4 to enter into and carry out contracts for the acquisition  
 5 of real property, construction, personal services, and oper-  
 6 ations related to projects carrying out the purposes of this  
 7 section: *Provided further*, That contracts entered into  
 8 under the authority of this section may provide for such  
 9 indemnification as the Secretary determines to be nec-  
 10 essary: *Provided further*, That projects authorized by this  
 11 section shall comply with applicable Federal, State, and  
 12 local law to the maximum extent consistent with the na-  
 13 tional security, as determined by the Secretary of Defense.

14 SEC. 8068. Section 8106 of the Department of De-  
 15 fense Appropriations Act, 1997 (titles I through VIII of  
 16 the matter under subsection 101(b) of Public Law 104-  
 17 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-  
 18 tinue in effect to apply to disbursements that are made  
 19 by the Department of Defense in fiscal year 2013.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8069. During the current fiscal year, not to ex-  
 22 ceed \$200,000,000 from funds available under “Operation  
 23 and Maintenance, Defense-Wide” may be transferred to  
 24 the Department of State “Global Security Contingency  
 25 Fund”: *Provided*, That this transfer authority is in addi-

1 tion to any other transfer authority available to the De-  
 2 partment of Defense: *Provided further*, That the Secretary  
 3 of Defense shall, not fewer than 30 days prior to making  
 4 transfers to the Department of State “Global Security  
 5 Contingency Fund”, notify the congressional defense com-  
 6 mittees in writing with the source of funds and a detailed  
 7 justification, execution plan, and timeline for each pro-  
 8 posed project.

9       SEC. 8070. In addition to amounts provided else-  
 10 where in this Act, \$4,000,000 is hereby appropriated to  
 11 the Department of Defense, to remain available for obliga-  
 12 tion until expended: *Provided*, That notwithstanding any  
 13 other provision of law, that upon the determination of the  
 14 Secretary of Defense that it shall serve the national inter-  
 15 est, these funds shall be available only for a grant to the  
 16 Fisher House Foundation, Inc., only for the construction  
 17 and furnishing of additional Fisher Houses to meet the  
 18 needs of military family members when confronted with  
 19 the illness or hospitalization of an eligible military bene-  
 20 ficiary.

21                   (INCLUDING TRANSFER OF FUNDS)

22       SEC. 8071. Of the amounts appropriated in this Act  
 23 under the headings “Procurement, Defense-Wide” and  
 24 “Research, Development, Test and Evaluation, Defense-  
 25 Wide”, \$479,736,000 shall be for the Israeli Cooperative



1 Programs: *Provided*, That of this amount, \$211,000,000  
2 shall be for the Secretary of Defense to provide to the Gov-  
3 ernment of Israel for the procurement of the Iron Dome  
4 defense system to counter short-range rocket threats;  
5 \$149,679,000 shall be for the Short Range Ballistic Mis-  
6 sile Defense (SRBMD) program, including cruise missile  
7 defense research and development under the SRBMD pro-  
8 gram, of which \$39,200,000 shall be for production activi-  
9 ties of SRBMD missiles in the United States and in Israel  
10 to meet Israel's defense requirements consistent with each  
11 nation's laws, regulations, and procedures, \$74,692,000  
12 shall be available for an upper-tier component to the  
13 Israeli Missile Defense Architecture, and \$44,365,000  
14 shall be for the Arrow System Improvement Program in-  
15 cluding development of a long range, ground and airborne,  
16 detection suite: *Provided further*, That funds made avail-  
17 able under this provision for production of missiles and  
18 missile components may be transferred to appropriations  
19 available for the procurement of weapons and equipment,  
20 to be merged with and to be available for the same time  
21 period and the same purposes as the appropriation to  
22 which transferred: *Provided further*, That the transfer au-  
23 thority provided under this provision is in addition to any  
24 other transfer authority contained in this Act.

1       ~~SEC. 8072.~~ (a) None of the funds available to the  
 2 Department of Defense may be obligated to modify com-  
 3 mand and control relationships to give Fleet Forces Com-  
 4 mand operational and administrative control of U.S. Navy  
 5 forces assigned to the Pacific fleet.

6       (b) None of the funds available to the Department  
 7 of Defense may be obligated to modify command and con-  
 8 trol relationships to give United States Transportation  
 9 Command operational and administrative control of C-  
 10 130 and KC-135 forces assigned to the Pacific and Euro-  
 11 pean Air Force Commands.

12       (c) The command and control relationships in sub-  
 13 sections (a) and (b) which existed on March 13, 2011,  
 14 shall remain in force unless changes are specifically au-  
 15 thorized in a subsequent Act.

16       (d) This subsection does not apply to administrative  
 17 control of Navy Air and Missile Defense Command.

18                       (INCLUDING TRANSFER OF FUNDS)

19       ~~SEC. 8073.~~ Of the amounts appropriated in this Act  
 20 under the heading “Shipbuilding and Conversion, Navy”,  
 21 ~~\$372,573,000~~ shall be available until September 30, 2013,  
 22 to fund prior year shipbuilding cost increases: *Provided*,  
 23 That upon enactment of this Act, the Secretary of the  
 24 Navy shall transfer funds to the following appropriations  
 25 in the amounts specified: *Provided further*, That the

1 amounts transferred shall be merged with and be available  
 2 for the same purposes as the appropriations to which  
 3 transferred to:

4           (1) Under the heading “Shipbuilding and Con-  
 5 version, Navy, 2007/2013”: LHA Replacement Pro-  
 6 gram \$156,685,000;

7           (2) Under the heading “Shipbuilding and Con-  
 8 version, Navy, 2008/2013”: LPD-17 Amphibious  
 9 Transport Dock Program \$80,888,000; and

10           (3) Under the heading “Shipbuilding and Con-  
 11 version, Navy, 2009/2013”: CVN Refueling Over-  
 12 hauls Program \$135,000,000.

13       SEC. 8074. Funds appropriated by this Act, or made  
 14 available by the transfer of funds in this Act, for intel-  
 15 ligence activities are deemed to be specifically authorized  
 16 by the Congress for purposes of section 504 of the Na-  
 17 tional Security Act of 1947 (50 U.S.C. 414) during fiscal  
 18 year 2013 until the enactment of the Intelligence Author-  
 19 ization Act for Fiscal Year 2013.

20       SEC. 8075. None of the funds provided in this Act  
 21 shall be available for obligation or expenditure through a  
 22 reprogramming of funds that creates or initiates a new  
 23 program, project, or activity unless such program, project,  
 24 or activity must be undertaken immediately in the interest

1 of national security and only after written prior notifica-  
2 tion to the congressional defense committees.

3       SEC. 8076. The budget of the President for fiscal  
4 year 2014 submitted to the Congress pursuant to section  
5 1105 of title 31, United States Code, shall include sepa-  
6 rate budget justification documents for costs of United  
7 States Armed Forces' participation in contingency oper-  
8 ations for the Military Personnel accounts, the Operation  
9 and Maintenance accounts, and the Procurement ac-  
10 counts: *Provided*, That these documents shall include a de-  
11 scription of the funding requested for each contingency op-  
12 eration, for each military service, to include all Active and  
13 Reserve components, and for each appropriations account:  
14 *Provided further*, That these documents shall include esti-  
15 mated costs for each element of expense or object class,  
16 a reconciliation of increases and decreases for each contin-  
17 gency operation, and programmatic data including, but  
18 not limited to, troop strength for each Active and Reserve  
19 component, and estimates of the major weapons systems  
20 deployed in support of each contingency: *Provided further*,  
21 That these documents shall include budget exhibits OP-  
22 5 and OP-32 (as defined in the Department of Defense  
23 Financial Management Regulation) for all contingency op-  
24 erations for the budget year and the two preceding fiscal  
25 years.

1       ~~SEC. 8077. None of the funds in this Act may be~~  
2       ~~used for research, development, test, evaluation, procure-~~  
3       ~~ment or deployment of nuclear armed interceptors of a~~  
4       ~~missile defense system.~~

5       ~~SEC. 8078. In addition to the amounts appropriated~~  
6       ~~or otherwise made available elsewhere in this Act,~~  
7       ~~\$44,000,000 is hereby appropriated to the Department of~~  
8       ~~Defense: *Provided*, That upon the determination of the~~  
9       ~~Secretary of Defense that it shall serve the national inter-~~  
10      ~~est, he shall make grants in the amounts specified as fol-~~  
11      ~~lows: \$20,000,000 to the United Service Organizations~~  
12      ~~and \$24,000,000 to the Red Cross.~~

13      ~~SEC. 8079. None of the funds appropriated or made~~  
14      ~~available in this Act shall be used to reduce or disestablish~~  
15      ~~the operation of the 53rd Weather Reconnaissance Squad-~~  
16      ~~ron of the Air Force Reserve, if such action would reduce~~  
17      ~~the WC-130 Weather Reconnaissance mission below the~~  
18      ~~levels funded in this Act: *Provided*, That the Air Force~~  
19      ~~shall allow the 53rd Weather Reconnaissance Squadron to~~  
20      ~~perform other missions in support of national defense re-~~  
21      ~~quirements during the non-hurricane season.~~

22      ~~SEC. 8080. None of the funds provided in this Act~~  
23      ~~shall be available for integration of foreign intelligence in-~~  
24      ~~formation unless the information has been lawfully col-~~  
25      ~~lected and processed during the conduct of authorized for-~~

1 eign intelligence activities: *Provided*, That information  
2 pertaining to United States persons shall only be handled  
3 in accordance with protections provided in the Fourth  
4 Amendment of the United States Constitution as imple-  
5 mented through Executive Order No. 12333.

6       SEC. 8081. (a) At the time members of reserve com-  
7 ponents of the Armed Forces are called or ordered to ac-  
8 tive duty under section 12302(a) of title 10, United States  
9 Code, each member shall be notified in writing of the ex-  
10 pected period during which the member will be mobilized.

11       (b) The Secretary of Defense may waive the require-  
12 ments of subsection (a) in any case in which the Secretary  
13 determines that it is necessary to do so to respond to a  
14 national security emergency or to meet dire operational  
15 requirements of the Armed Forces.

16                   (INCLUDING TRANSFER OF FUNDS)

17       SEC. 8082. The Secretary of Defense may transfer  
18 funds from any available Department of the Navy appro-  
19 priation to any available Navy ship construction appro-  
20 priation for the purpose of liquidating necessary changes  
21 resulting from inflation, market fluctuations, or rate ad-  
22 justments for any ship construction program appropriated  
23 in law: *Provided*, That the Secretary may transfer not to  
24 exceed \$100,000,000 under the authority provided by this  
25 section: *Provided further*, That the Secretary may not

1 transfer any funds until 30 days after the proposed trans-  
2 fer has been reported to the Committees on Appropria-  
3 tions of the House of Representatives and the Senate; un-  
4 less a response from the Committees is received sooner:  
5 *Provided further*, That any funds transferred pursuant to  
6 this section shall retain the same period of availability as  
7 when originally appropriated: *Provided further*, That the  
8 transfer authority provided by this section is in addition  
9 to any other transfer authority contained elsewhere in this  
10 Act.

11 SEC. 8083. For purposes of section 7108 of title 41,  
12 United States Code, any subdivision of appropriations  
13 made under the heading “Shipbuilding and Conversion,  
14 Navy” that is not closed at the time reimbursement is  
15 made shall be available to reimburse the Judgment Fund  
16 and shall be considered for the same purposes as any sub-  
17 division under the heading “Shipbuilding and Conversion,  
18 Navy” appropriations in the current fiscal year or any  
19 prior fiscal year.

20 SEC. 8084. (a) None of the funds appropriated by  
21 this Act may be used to transfer research and develop-  
22 ment, acquisition, or other program authority relating to  
23 current tactical unmanned aerial vehicles (TUAVs) from  
24 the Army.

1       (b) The Army shall retain responsibility for and oper-  
2       ational control of the MQ-1C Gray Eagle Unmanned Aer-  
3       ial Vehicle (UAV) in order to support the Secretary of De-  
4       fense in matters relating to the employment of unmanned  
5       aerial vehicles.

6       SEC. 8085. Up to \$15,000,000 of the funds appro-  
7       priated under the heading “Operation and Maintenance,  
8       Navy” may be made available for the Asia Pacific Re-  
9       gional Initiative Program for the purpose of enabling the  
10      Pacific Command to execute Theater Security Cooperation  
11      activities such as humanitarian assistance, and payment  
12      of incremental and personnel costs of training and exer-  
13      cising with foreign security forces: *Provided*, That funds  
14      made available for this purpose may be used, notwith-  
15      standing any other funding authorities for humanitarian  
16      assistance, security assistance or combined exercise ex-  
17      penses: *Provided further*, That funds may not be obligated  
18      to provide assistance to any foreign country that is other-  
19      wise prohibited from receiving such type of assistance  
20      under any other provision of law.

21      SEC. 8086. None of the funds appropriated by this  
22      Act for programs of the Office of the Director of National  
23      Intelligence shall remain available for obligation beyond  
24      the current fiscal year, except for funds appropriated for



1 research and technology, which shall remain available until  
2 September 30, 2014.

3       SEC. 8087. For purposes of section 1553(b) of title  
4 31, United States Code, any subdivision of appropriations  
5 made in this Act under the heading “Shipbuilding and  
6 Conversion, Navy” shall be considered to be for the same  
7 purpose as any subdivision under the heading “Ship-  
8 building and Conversion, Navy” appropriations in any  
9 prior fiscal year, and the 1 percent limitation shall apply  
10 to the total amount of the appropriation.

11       SEC. 8088. The Director of National Intelligence  
12 shall include the budget exhibits identified in paragraphs  
13 (1) and (2) as described in the Department of Defense  
14 Financial Management Regulation with the congressional  
15 budget justification books:

16           (1) For procurement programs requesting more  
17 than \$10,000,000 in any fiscal year, the P-1, Pro-  
18 curement Program; P-5, Cost Analysis; P-5a, Pro-  
19 curement History and Planning; P-21, Production  
20 Schedule; and P-40, Budget Item Justification.

21           (2) For research, development, test and evalua-  
22 tion projects requesting more than \$5,000,000 in  
23 any fiscal year, the R-1, Research, Development,  
24 Test and Evaluation Program; R-2, Research, De-  
25 velopment, Test and Evaluation Budget Item Jus-

1       tification; ~~R-3~~, Research, Development, Test and  
2       Evaluation Project Cost Analysis; and ~~R-4~~, Re-  
3       search, Development, Test and Evaluation Program  
4       Schedule Profile.

5       SEC. 8089. (a) Not later than 60 days after the date  
6       of enactment of this Act, the Director of National Intel-  
7       ligence shall submit a report to the congressional intel-  
8       ligence committees to establish the baseline for application  
9       of reprogramming and transfer authorities for fiscal year  
10      ~~2013~~; *Provided*, That the report shall include—

11           (1) a table for each appropriation with a sepa-  
12           rate column to display the President's budget re-  
13           quest, adjustments made by Congress, adjustments  
14           due to enacted rescissions, if appropriate, and the  
15           fiscal year enacted level;

16           (2) a delineation in the table for each appro-  
17           priation by Expenditure Center and project; and

18           (3) an identification of items of special congres-  
19           sional interest.

20       (b) None of the funds provided for the National Intel-  
21       ligence Program in this Act shall be available for re-  
22       programming or transfer until the report identified in sub-  
23       section (a) is submitted to the congressional intelligence  
24       committees, unless the Director of National Intelligence  
25       certifies in writing to the congressional intelligence com-

1 mittees that such reprogramming or transfer is necessary  
 2 as an emergency requirement.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8090. Of the funds appropriated in the Intel-  
 5 ligence Community Management Account for the Program  
 6 Manager for the Information Sharing Environment,  
 7 \$20,000,000 is available for transfer by the Director of  
 8 National Intelligence to other departments and agencies  
 9 for purposes of Government-wide information sharing ac-  
 10 tivities: *Provided*, That funds transferred under this provi-  
 11 sion are to be merged with and available for the same pur-  
 12 poses and time period as the appropriation to which trans-  
 13 ferred: *Provided further*, That the Office of Management  
 14 and Budget must approve any transfers made under this  
 15 provision.

16 SEC. 8091. (a) None of the funds provided for the  
 17 National Intelligence Program in this or any prior appro-  
 18 priations Act shall be available for obligation or expendi-  
 19 ture through a reprogramming or transfer of funds in ac-  
 20 cordance with section 102A(d) of the National Security  
 21 Act of 1947 (50 U.S.C. 403–1(d)) that—

22 (1) creates a new start effort;

23 (2) terminates a program with appropriated  
 24 funding of \$10,000,000 or more;

1           ~~(3)~~ transfers funding into or out of the Na-  
2           tional Intelligence Program; or

3           ~~(4)~~ transfers funding between appropriations;  
4 unless the congressional intelligence committees are noti-  
5 fied 30 days in advance of such reprogramming of funds;  
6 this notification period may be reduced for urgent national  
7 security requirements.

8           (b) None of the funds provided for the National Intel-  
9 ligence Program in this or any prior appropriations Act  
10 shall be available for obligation or expenditure through a  
11 reprogramming or transfer of funds in accordance with  
12 section 102A(d) of the National Security Act of 1947 (~~50~~  
13 ~~U.S.C. 403–1(d)~~) that results in a cumulative increase or  
14 decrease of the levels specified in the classified annex ac-  
15 companying the Act unless the congressional intelligence  
16 committees are notified 30 days in advance of such re-  
17 programming of funds; this notification period may be re-  
18 duced for urgent national security requirements.

19       ~~SEC. 8092.~~ The Director of National Intelligence  
20 shall submit to Congress each year, at or about the time  
21 that the President's budget is submitted to Congress that  
22 year under section 1105(a) of title 31, United States  
23 Code, a future-years intelligence program (including asso-  
24 ciated annexes) reflecting the estimated expenditures and  
25 proposed appropriations included in that budget. Any such

1 future-years intelligence program shall cover the fiscal  
2 year with respect to which the budget is submitted and  
3 at least the four succeeding fiscal years.

4       ~~SEC. 8093.~~ For the purposes of this Act, the term  
5 “congressional intelligence committees” means the Perma-  
6 nent Select Committee on Intelligence of the House of  
7 Representatives, the Select Committee on Intelligence of  
8 the Senate, the Subcommittee on Defense of the Com-  
9 mittee on Appropriations of the House of Representatives,  
10 and the Subcommittee on Defense of the Committee on  
11 Appropriations of the Senate.

12       ~~SEC. 8094.~~ The Department of Defense shall con-  
13 tinue to report incremental contingency operations costs  
14 for Operation New Dawn and Operation Enduring Free-  
15 dom, or any other named operations in the U.S. Central  
16 Command area of operation on a monthly basis in the Cost  
17 of War Execution Report as prescribed in the Department  
18 of Defense Financial Management Regulation Department  
19 of Defense Instruction 7000.14, Volume 12, Chapter 23  
20 “Contingency Operations”, Annex 1, dated September  
21 2005.

22                   (INCLUDING TRANSFER OF FUNDS)

23       ~~SEC. 8095.~~ During the current fiscal year, not to ex-  
24 ceed \$11,000,000 from each of the appropriations made  
25 in title II of this Act for “Operation and Maintenance,

1 Army”, “Operation and Maintenance, Navy”, and “Oper-  
 2 ation and Maintenance, Air Force” may be transferred by  
 3 the military department concerned to its central fund es-  
 4 tablished for Fisher Houses and Suites pursuant to sec-  
 5 tion 2493(d) of title 10, United States Code.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8096. Funds appropriated by this Act for oper-  
 8 ation and maintenance may be available for the purpose  
 9 of making remittances to the Defense Acquisition Work-  
 10 force Development Fund in accordance with the require-  
 11 ments of section 1705 of title 10, United States Code.

12 SEC. 8097. (a) Any agency receiving funds made  
 13 available in this Act, shall, subject to subsections (b) and  
 14 (c), post on the public Web site of that agency any report  
 15 required to be submitted by the Congress in this or any  
 16 other Act, upon the determination by the head of the agen-  
 17 cy that it shall serve the national interest.

18 (b) Subsection (a) shall not apply to a report if—

19 (1) the public posting of the report com-  
 20 promises national security; or

21 (2) the report contains proprietary information.

22 (c) The head of the agency posting such report shall  
 23 do so only after such report has been made available to  
 24 the requesting Committee or Committees of Congress for  
 25 no less than 45 days.

1       ~~SEC. 8098.~~ (a) None of the funds appropriated or  
2 otherwise made available by this Act may be expended for  
3 any Federal contract for an amount in excess of  
4 \$1,000,000, unless the contractor agrees not to—

5           (1) enter into any agreement with any of its  
6 employees or independent contractors that requires,  
7 as a condition of employment, that the employee or  
8 independent contractor agree to resolve through ar-  
9 bitration any claim under title VII of the Civil  
10 Rights Act of 1964 or any tort related to or arising  
11 out of sexual assault or harassment, including as-  
12 sault and battery, intentional infliction of emotional  
13 distress, false imprisonment, or negligent hiring, su-  
14 pervision, or retention; or

15           (2) take any action to enforce any provision of  
16 an existing agreement with an employee or inde-  
17 pendent contractor that mandates that the employee  
18 or independent contractor resolve through arbitra-  
19 tion any claim under title VII of the Civil Rights Act  
20 of 1964 or any tort related to or arising out of sex-  
21 ual assault or harassment, including assault and  
22 battery, intentional infliction of emotional distress,  
23 false imprisonment, or negligent hiring, supervision,  
24 or retention.

1       (b) None of the funds appropriated or otherwise  
2 made available by this Act may be expended for any Fed-  
3 eral contract unless the contractor certifies that it requires  
4 each covered subcontractor to agree not to enter into, and  
5 not to take any action to enforce any provision of, any  
6 agreement as described in paragraphs (1) and (2) of sub-  
7 section (a); with respect to any employee or independent  
8 contractor performing work related to such subcontract.  
9 For purposes of this subsection, a “covered subcon-  
10 tractor” is an entity that has a subcontract in excess of  
11 \$1,000,000 on a contract subject to subsection (a).

12       (c) The prohibitions in this section do not apply with  
13 respect to a contractor’s or subcontractor’s agreements  
14 with employees or independent contractors that may not  
15 be enforced in a court of the United States.

16       (d) The Secretary of Defense may waive the applica-  
17 tion of subsection (a) or (b) to a particular contractor or  
18 subcontractor for the purposes of a particular contract or  
19 subcontract if the Secretary or the Deputy Secretary per-  
20 sonally determines that the waiver is necessary to avoid  
21 harm to national security interests of the United States;  
22 and that the term of the contract or subcontract is not  
23 longer than necessary to avoid such harm. The determina-  
24 tion shall set forth with specificity the grounds for the  
25 waiver and for the contract or subcontract term selected;



1 and shall state any alternatives considered in lieu of a  
2 waiver and the reasons each such alternative would not  
3 avoid harm to national security interests of the United  
4 States. The Secretary of Defense shall transmit to Con-  
5 gress, and simultaneously make public, any determination  
6 under this subsection not less than 15 business days be-  
7 fore the contract or subcontract addressed in the deter-  
8 mination may be awarded.

9       SEC. 8099. None of the funds made available under  
10 this Act may be distributed to the Association of Commu-  
11 nity Organizations for Reform Now (ACORN) or its sub-  
12 sidiaries.

13                   (INCLUDING TRANSFER OF FUNDS)

14       SEC. 8100. From within the funds appropriated for  
15 operation and maintenance for the Defense Health Pro-  
16 gram in this Act, up to \$139,204,000, shall be available  
17 for transfer to the Joint Department of Defense-Depart-  
18 ment of Veterans Affairs Medical Facility Demonstration  
19 Fund in accordance with the provisions of section 1704  
20 of the National Defense Authorization Act for Fiscal Year  
21 2010, Public Law 111-84: *Provided*, That for purposes  
22 of section 1704(b), the facility operations funded are oper-  
23 ations of the integrated Captain James A. Lovell Federal  
24 Health Care Center, consisting of the North Chicago Vet-  
25 erans Affairs Medical Center, the Navy Ambulatory Care

1 Center, and supporting facilities designated as a combined  
2 Federal medical facility as described by section 706 of  
3 Public Law 110-417: *Provided further*, That additional  
4 funds may be transferred from funds appropriated for op-  
5 eration and maintenance for the Defense Health Program  
6 to the Joint Department of Defense-Department of Vet-  
7 erans Affairs Medical Facility Demonstration Fund upon  
8 written notification by the Secretary of Defense to the  
9 Committees on Appropriations of the House of Represent-  
10 atives and the Senate.

11 SEC. 8101. The Office of the Director of National  
12 Intelligence shall not employ more Senior Executive em-  
13 ployees than are specified in the classified annex.

14 SEC. 8102. None of the funds appropriated or other-  
15 wise made available by this Act may be obligated or ex-  
16 pended to pay a retired general or flag officer to serve  
17 as a senior mentor advising the Department of Defense  
18 unless such retired officer files a Standard Form 278 (or  
19 successor form concerning public financial disclosure  
20 under part 2634 of title 5, Code of Federal Regulations)  
21 to the Office of Government Ethics.

22 SEC. 8103. Appropriations available to the Depart-  
23 ment of Defense may be used for the purchase of heavy  
24 and light armored vehicles for the physical security of per-  
25 sonnel or for force protection purposes up to a limit of

1 \$250,000 per vehicle, notwithstanding price or other limi-  
2 tations applicable to the purchase of passenger carrying  
3 vehicles.

4       ~~SEC. 8104.~~ Of the amounts appropriated for “Oper-  
5 ation and Maintenance, Defense-Wide”, the following  
6 amounts shall be available to the Secretary of Defense,  
7 for the following authorized purposes, notwithstanding  
8 any other provision of law, acting through the Office of  
9 Economic Adjustment of the Department of Defense, to  
10 make grants, conclude cooperative agreements, and sup-  
11 plement other Federal funds, to remain available until ex-  
12 pended, to assist the civilian population of Guam in re-  
13 sponse to the military buildup of Guam: (1) \$13,000,000  
14 for addressing the need for construction of a regional pub-  
15 lic health laboratory; and (2) \$106,400,000 for addressing  
16 the need for civilian water and wastewater improvements:  
17 *Provided*, That the Secretary of Defense shall, not fewer  
18 than 15 days prior to obligating funds for either of the  
19 foregoing purposes, notify the congressional defense com-  
20 mittees in writing of the details of any such obligation.

21                   (INCLUDING TRANSFER OF FUNDS)

22       ~~SEC. 8105.~~ There is hereby established in the Treas-  
23 ury of the United States the “Ship Modernization, Oper-  
24 ations and Sustainment Fund”. There is appropriated  
25 \$2,382,100,000, for the “Ship Modernization, Operations

1 and Sustainment Fund”, to remain available until Sep-  
 2 tember 30, 2014: *Provided*, That the Secretary of the  
 3 Navy shall transfer funds from the “Ship Modernization,  
 4 Operations and Sustainment Fund” to appropriations for  
 5 military personnel; operation and maintenance; research;  
 6 development, test and evaluation; and procurement, only  
 7 for the purposes of manning, operating, sustaining, equip-  
 8 ping and modernizing the Ticonderoga-class guided mis-  
 9 sile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-  
 10 69, CG-73, and the Whidbey Island-class dock landing  
 11 ships LSD-41 and LSD-46: *Provided further*, That funds  
 12 transferred shall be merged with and be available for the  
 13 same purposes and for the same time period as the appro-  
 14 priation to which they are transferred: *Provided further*,  
 15 That the transfer authority provided herein shall be in ad-  
 16 dition to any other transfer authority available to the De-  
 17 partment of Defense: *Provided further*, That the Secretary  
 18 of the Navy shall, not less than 30 days prior to making  
 19 any transfer from the “Ship Modernization, Operations  
 20 and Sustainment Fund”, notify the congressional defense  
 21 committees in writing of the details of such transfer.

22       SEC. 8106. None of the funds made available by this  
 23 Act may be used by the Secretary of Defense to take bene-  
 24 ficial occupancy of more than 2,500 parking spaces (other  
 25 than handicap-reserved spaces) to be provided by the

1 BRAC 133 project: *Provided*, That this limitation may be  
2 waived in part if: (1) the Secretary of Defense certifies  
3 to Congress that levels of service at existing intersections  
4 in the vicinity of the project have not experienced failing  
5 levels of service as defined by the Transportation Research  
6 Board Highway Capacity Manual over a consecutive 90-  
7 day period; (2) the Department of Defense and the Vir-  
8 ginia Department of Transportation agree on the number  
9 of additional parking spaces that may be made available  
10 to employees of the facility subject to continued 90-day  
11 traffic monitoring; and (3) the Secretary of Defense noti-  
12 fies the congressional defense committees in writing at  
13 least 14 days prior to exercising this waiver of the number  
14 of additional parking spaces to be made available.

15 SEC. 8107. Not later than 120 days after the date  
16 of the enactment of this Act, the Secretary of Defense  
17 shall resume quarterly reporting of the numbers of civilian  
18 personnel end strength by appropriation account for each  
19 and every appropriation account used to finance Federal  
20 civilian personnel salaries to the congressional defense  
21 committees within 15 days after the end of each fiscal  
22 quarter.

23 SEC. 8108. None of the funds appropriated in this  
24 or any other Act may be used to plan, prepare for, or oth-  
25 erwise take any action to undertake or implement the sep-

1 aration of the National Intelligence Program budget from  
2 the Department of Defense budget.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8109. Upon a determination by the Director of  
5 National Intelligence that such action is necessary and in  
6 the national interest, the Director may, with the approval  
7 of the Office of Management and Budget, transfer not to  
8 exceed \$2,000,000,000 of the funds made available in this  
9 Act for the National Intelligence Program: *Provided*, That  
10 such authority to transfer may not be used unless for  
11 higher priority items, based on unforeseen intelligence re-  
12 quirements, than those for which originally appropriated  
13 and in no case where the item for which funds are re-  
14 quested has been denied by the Congress: *Provided further*,  
15 That a request for multiple reprogrammings of funds  
16 using authority provided in this section shall be made  
17 prior to June 30, 2013.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 8110. In addition to amounts provided else-  
20 where in the Act, there is appropriated \$270,000,000 for  
21 an additional amount for “Operation and Maintenance,  
22 Defense-Wide”, to be available until expended: *Provided*,  
23 That such funds shall only be available to the Secretary  
24 of Defense, acting through the Office of Economic Adjust-  
25 ment of the Department of Defense, or for transfer to the

1 Secretary of Education, notwithstanding any other provi-  
2 sion of law, to make grants, conclude cooperative agree-  
3 ments, or supplement other Federal funds to construct,  
4 renovate, repair, or expand elementary and secondary pub-  
5 lie schools on military installations in order to address ca-  
6 pacity or facility condition deficiencies at such schools:  
7 *Provided further*, That in making such funds available, the  
8 Office of Economic Adjustment or the Secretary of Edu-  
9 cation shall give priority consideration to those military  
10 installations with schools having the most serious capacity  
11 or facility condition deficiencies as determined by the Sec-  
12 retary of Defense: *Provided further*, That funds may not  
13 be made available for a school unless its enrollment of De-  
14 partment of Defense-connected children is greater than 50  
15 percent.

16 SEC. 8111. None of the funds appropriated or other-  
17 wise made available in this or any other Act may be used  
18 to transfer, release, or assist in the transfer or release to  
19 or within the United States, its territories, or possessions  
20 Khalid Sheikh Mohammed or any other detainee who—

21 (1) is not a United States citizen or a member  
22 of the Armed Forces of the United States; and

23 (2) is or was held on or after June 24, 2009,  
24 at the United States Naval Station, Guantánamo  
25 Bay, Cuba, by the Department of Defense.

1       ~~SEC. 8112. (a)(1) Except as provided in paragraph~~  
2 ~~(2) and subsection (d), none of the funds appropriated or~~  
3 ~~otherwise made available in this or any other Act may be~~  
4 ~~used to transfer any individual detained at Guantánamo~~  
5 ~~to the custody or control of the individual's country of ori-~~  
6 ~~gin, any other foreign country, or any other foreign entity~~  
7 ~~unless the Secretary of Defense submits to Congress the~~  
8 ~~certification described in subsection (b) not later than 30~~  
9 ~~days before the transfer of the individual.~~

10       ~~(2) Paragraph (1) shall not apply to any action taken~~  
11 ~~by the Secretary to transfer any individual detained at~~  
12 ~~Guantánamo to effectuate—~~

13           ~~(A) an order affecting the disposition of the in-~~  
14 ~~dividual that is issued by a court or competent tri-~~  
15 ~~bunal of the United States having lawful jurisdiction~~  
16 ~~(which the Secretary shall notify Congress of~~  
17 ~~promptly after issuance); or~~

18           ~~(B) a pre-trial agreement entered in a military~~  
19 ~~commission case prior to the date of the enactment~~  
20 ~~of this Act.~~

21       ~~(b) A certification described in this subsection is a~~  
22 ~~written certification made by the Secretary of Defense,~~  
23 ~~with the concurrence of the Secretary of State and in con-~~  
24 ~~sultation with the Director of National Intelligence, that—~~



1           (1) the government of the foreign country or  
2           the recognized leadership of the foreign entity to  
3           which the individual detained at Guantánamo is to  
4           be transferred—

5           (A) is not a designated state sponsor of  
6           terrorism or a designated foreign terrorist orga-  
7           nization;

8           (B) maintains control over each detention  
9           facility in which the individual is to be detained  
10          if the individual is to be housed in a detention  
11          facility;

12          (C) is not, as of the date of the certifi-  
13          cation, facing a threat that is likely to substan-  
14          tially affect its ability to exercise control over  
15          the individual;

16          (D) has taken or agreed to take effective  
17          actions to ensure that the individual cannot  
18          take action to threaten the United States, its  
19          citizens, or its allies in the future;

20          (E) has taken or agreed to take such ac-  
21          tions as the Secretary of Defense determines  
22          are necessary to ensure that the individual can-  
23          not engage or re-engage in any terrorist activ-  
24          ity; and

1           (F) has agreed to share with the United  
2           States any information that—

3                   (i) is related to the individual or any  
4                   associates of the individual; and

5                   (ii) could affect the security of the  
6                   United States, its citizens, or its allies; and

7           (2) includes an assessment, in classified or un-  
8           classified form, of the capacity, willingness, and past  
9           practices (if applicable) of the foreign country or en-  
10          tity in relation to the Secretary's certifications.

11          (c)(1) Except as provided in paragraph (2) and sub-  
12          section (d), none of the funds appropriated or otherwise  
13          made available in this or any other Act may be used to  
14          transfer any individual detained at Guantánamo to the  
15          custody or control of the individual's country of origin, any  
16          other foreign country, or any other foreign entity if there  
17          is a confirmed case of any individual who was detained  
18          at United States Naval Station, Guantánamo Bay, Cuba,  
19          at any time after September 11, 2001, who was trans-  
20          ferred to such foreign country or entity and subsequently  
21          engaged in any terrorist activity.

22          (2) Paragraph (1) shall not apply to any action taken  
23          by the Secretary to transfer any individual detained at  
24          Guantánamo to effectuate—

1           (A) an order affecting the disposition of the in-  
2           dividual that is issued by a court or competent tri-  
3           bunal of the United States having lawful jurisdiction  
4           (which the Secretary shall notify Congress of  
5           promptly after issuance); or

6           (B) a pre-trial agreement entered in a military  
7           commission case prior to the date of the enactment  
8           of this Act.

9           (d)(1) The Secretary of Defense may waive the appli-  
10          cability to a detainee transfer of a certification require-  
11          ment specified in subparagraph (D) or (E) of subsection  
12          (b)(1) or the prohibition in subsection (c), if the Secretary  
13          certifies the rest of the criteria required by subsection (b)  
14          for transfers prohibited by (c) and, with the concurrence  
15          of the Secretary of State and in consultation with the Di-  
16          rector of National Intelligence, determines that—

17               (A) alternative actions will be taken to address  
18               the underlying purpose of the requirement or re-  
19               quirements to be waived;

20               (B) in the case of a waiver of subparagraph (D)  
21               or (E) of subsection (b)(1), it is not possible to cer-  
22               tify that the risks addressed in the paragraph to be  
23               waived have been completely eliminated, but the ac-  
24               tions to be taken under subparagraph (A) will sub-

1       stantially mitigate such risks with regard to the indi-  
2       vidual to be transferred;

3           ~~(C)~~ in the case of a waiver of subsection ~~(c)~~, the  
4       Secretary has considered any confirmed case in  
5       which an individual who was transferred to the  
6       country subsequently engaged in terrorist activity;  
7       and the actions to be taken under subparagraph ~~(A)~~  
8       will substantially mitigate the risk of recidivism with  
9       regard to the individual to be transferred; and

10           ~~(D)~~ the transfer is in the national security in-  
11       terests of the United States.

12       ~~(2)~~ Whenever the Secretary makes a determination  
13       under paragraph ~~(1)~~, the Secretary shall submit to the ap-  
14       propriate committees of Congress, not later than 30 days  
15       before the transfer of the individual concerned, the fol-  
16       lowing:

17           ~~(A)~~ A copy of the determination and the waiver  
18       concerned.

19           ~~(B)~~ A statement of the basis for the determina-  
20       tion, including—

21                   ~~(i)~~ an explanation why the transfer is in  
22                   the national security interests of the United  
23                   States; and

24                   ~~(ii)~~ in the case of a waiver of subparagraph  
25       ~~(D)~~ or ~~(E)~~ of subsection ~~(b)(1)~~, an explanation

1           why it is not possible to certify that the risks  
2           addressed in the subparagraph to be waived  
3           have been completely eliminated.

4           ~~(C) A summary of the alternative actions to be~~  
5           ~~taken to address the underlying purpose of, and to~~  
6           ~~mitigate the risks addressed in, the subparagraph or~~  
7           ~~subsection to be waived.~~

8           ~~(D) The assessment required by subsection~~  
9           ~~(b)(2).~~

10          ~~(e) In this section:~~

11           ~~(1) The term “appropriate committees of Con-~~  
12           ~~gress” means—~~

13                   ~~(A) the Committee on Armed Services, the~~  
14                   ~~Committee on Appropriations, and the Select~~  
15                   ~~Committee on Intelligence of the Senate; and~~

16                   ~~(B) the Committee on Armed Services, the~~  
17                   ~~Committee on Appropriations, and the Perma-~~  
18                   ~~nent Select Committee on Intelligence of the~~  
19                   ~~House of Representatives.~~

20           ~~(2) The term “individual detained at~~  
21           ~~Guantánamo” means any individual located at~~  
22           ~~United States Naval Station, Guantánamo Bay,~~  
23           ~~Cuba, as of October 1, 2009, who—~~

1           (A) is not a citizen of the United States or  
2           a member of the Armed Forces of the United  
3           States; and

4           (B) is—

5                 (i) in the custody or under the control  
6                 of the Department of Defense; or

7                 (ii) otherwise under detention at  
8                 United States Naval Station, Guantánamo  
9                 Bay, Cuba.

10          (3) The term “foreign terrorist organization”  
11          means any organization so designated by the Sec-  
12          retary of State under section 219 of the Immigra-  
13          tion and Nationality Act (8 U.S.C. 1189).

14          SEC. 8113. (a) None of the funds appropriated or  
15          otherwise made available in this or any other Act may be  
16          used to construct, acquire, or modify any facility in the  
17          United States, its territories, or possessions to house any  
18          individual described in subsection (c) for the purposes of  
19          detention or imprisonment in the custody or under the ef-  
20          fective control of the Department of Defense.

21          (b) The prohibition in subsection (a) shall not apply  
22          to any modification of facilities at United States Naval  
23          Station, Guantánamo Bay, Cuba.

1       (c) An individual described in this subsection is any  
2 individual who, as of June 24, 2009, is located at United  
3 States Naval Station, Guantánamo Bay, Cuba, and who—

4           (1) is not a citizen of the United States or a  
5 member of the Armed Forces of the United States;  
6 and

7           (2) is—

8           (A) in the custody or under the effective  
9 control of the Department of Defense; or

10           (B) otherwise under detention at United  
11 States Naval Station, Guantánamo Bay, Cuba.

12       SEC. 8114. None of the funds made available by this  
13 Act may be used to enter into a contract, memorandum  
14 of understanding, or cooperative agreement with, make a  
15 grant to, or provide a loan or loan guarantee to, any cor-  
16 poration that has any unpaid Federal tax liability that has  
17 been assessed, for which all judicial and administrative  
18 remedies have been exhausted or have lapsed, and that  
19 is not being paid in a timely manner pursuant to an agree-  
20 ment with the authority responsible for collecting the tax  
21 liability, where the awarding agency is aware of the unpaid  
22 tax liability, unless the agency has considered suspension  
23 or debarment of the corporation and made a determination  
24 that this further action is not necessary to protect the in-  
25 terests of the Government.

1        SEC. 8115. None of the funds made available by this  
2 Act may be used to enter into a contract, memorandum  
3 of understanding, or cooperative agreement with, make a  
4 grant to, or provide a loan or loan guarantee to, any cor-  
5 poration that was convicted of a felony criminal violation  
6 under any Federal law within the preceding 24 months,  
7 where the awarding agency is aware of the conviction, un-  
8 less the agency has considered suspension or debarment  
9 of the corporation and made a determination that this fur-  
10 ther action is not necessary to protect the interests of the  
11 Government.

12        SEC. 8116. None of the funds made available by this  
13 Act may be used in contravention of section 1590 or 1591  
14 of title 18, United States Code, or in contravention of the  
15 requirements of section 106(g) or (h) of the Trafficking  
16 Victims Protection Act of 2000 (22 U.S.C. 7104(g) or  
17 (h)).

18        SEC. 8117. None of the funds made available by this  
19 Act for International Military education and training, for-  
20 eign military financing, excess defense article, assistance  
21 under section 1206 of the National Defense Authorization  
22 Act for Fiscal year 2006 (Public Law 109-163, 119 Stat.  
23 3456) issuance for direct commercial sales of military  
24 equipment, or peacekeeping operations for the countries  
25 of Chad, Yemen, Somalia, Sudan, the Democratic Repub-



1 lie of the Congo, and Burma may be used to support any  
2 military training or operation that include child soldiers,  
3 as defined by the Child Soldiers Prevention Act of 2008,  
4 and except if such assistance is otherwise permitted under  
5 section 404 of the Child Soldiers Prevention Act of 2008  
6 (Public Law 110-457; 22 U.S.C. 2370e-1).

7       SEC. 8118. None of the funds made available by this  
8 Act may be used in contravention of the War Powers Res-  
9 olution (50 U.S.C. 1541 et seq.).

10       SEC. 8119. None of the funds made available by this  
11 Act may be used to retire, divest, realign, or transfer Air  
12 Force aircraft, to disestablish or convert units associated  
13 with such aircraft, or to disestablish or convert any other  
14 unit of the Air National Guard or Air Force Reserve: *Pro-*  
15 *vided*, That this section shall not apply to actions affecting  
16 C-5, C-17, or E-8 aircraft, or the units associated with  
17 such aircraft: *Provided further*, That this section shall con-  
18 tinue in effect through the date of enactment of an Act  
19 authorizing appropriations for fiscal year 2013 for mili-  
20 tary activities of the Department of Defense.

21       SEC. 8120. The Secretary of the Air Force shall obli-  
22 gate and expend funds previously appropriated for the  
23 procurement of RQ-4B Global Hawk and C-27J Spartan  
24 aircraft for the purposes for which such funds were origi-  
25 nally appropriated.

1       ~~SEC. 8121.~~ It is the Sense of the Senate that the  
2 next available capital warship of the U.S. Navy be named  
3 the USS Ted Stevens to recognize the public service  
4 achievements, military service sacrifice, and undaunted  
5 heroism and courage of the long-serving United States  
6 Senator for Alaska.

7       ~~SEC. 8122.~~ None of the funds made available by this  
8 Act shall be used to retire C-23 Sherpa aircraft.

9       ~~SEC. 8123.~~ The total amount available in the Act for  
10 pay for civilian personnel of the Department of Defense  
11 for fiscal year 2013 shall be the amount otherwise appro-  
12 priated or made available by this Act for such pay reduced  
13 by \$72,718,000.

14       ~~SEC. 8124.~~ None of the funds made available by this  
15 Act may be used to enter into a contract for UH-60 Leak  
16 Proof Drip Pans using procedures other than competitive  
17 procedures (as defined in section 2302(2) of title 10,  
18 United States Code).

19       ~~SEC. 8125.~~ None of the funds appropriated or other-  
20 wise made available by this Act or any other Act may be  
21 used by the Department of Defense or a component there-  
22 of in contravention of section 1244 of the National De-  
23 fense Authorization Act for Fiscal Year 2012 (Public Law  
24 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any pro-  
25 vision of an Act authorizing appropriations for the De-

1 partment of Defense for fiscal year 2013 relating to shar-  
2 ing classified ballistic missile defense information with  
3 Russia.

4       ~~SEC. 8126. None of the Operation and Maintenance~~  
5 funds made available in this Act may be used in con-  
6 travention of section 41106 of title 49, United States  
7 Code.

8       ~~SEC. 8127. None of the funds made available by this~~  
9 Act may be used by the Department of Defense or any  
10 other Federal agency to lease or purchase new light duty  
11 vehicles, for any executive fleet, or for an agency's fleet  
12 inventory, except in accordance with Presidential Memo-  
13 randum-Federal Fleet Performance, dated May 24, 2011.

14       ~~SEC. 8128. None of the funds made available by this~~  
15 Act may be used to enter into a contract with any person  
16 or other entity listed in the Excluded Parties List System  
17 (EPLS)/System for Award Management (SAM) as having  
18 been convicted of fraud against the Federal Government.

19       ~~SEC. 8129. None of the funds made available by this~~  
20 Act for the Department of Defense may be used to enter  
21 into a contract, memorandum of understanding, or cooper-  
22 ative agreement with, make a grant to, or provide a loan  
23 or loan guarantee to Rosoboronexport: *Provided*, That the  
24 Secretary of Defense may waive this restriction on a case-  
25 by-case basis by certifying in writing to the Committees

1 on Appropriations of the House of Representatives and the  
2 Senate that it is in the national security interest to do  
3 so.

4 ~~SEC. 8130.~~ None of the funds made available by this  
5 Act may be used by the Secretary of Defense to implement  
6 an enrollment fee for the TRICARE for Life program  
7 under chapter 55 of title 10, United States Code, that  
8 does not exist as of the date of the enactment of this Act.

## 9 TITLE IX

### 10 OVERSEAS CONTINGENCY OPERATIONS

#### 11 MILITARY PERSONNEL

##### 12 ~~MILITARY PERSONNEL, ARMY~~

13 For an additional amount for “Military Personnel,  
14 Army”, \$9,790,082,000: *Provided*, That such amount is  
15 designated by the Congress for Overseas Contingency Op-  
16 erations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

##### 19 ~~MILITARY PERSONNEL, NAVY~~

20 For an additional amount for “Military Personnel,  
21 Navy”, \$774,225,000: *Provided*, That such amount is des-  
22 ignated by the Congress for Overseas Contingency Oper-  
23 ations/Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

## 1           MILITARY PERSONNEL, MARINE CORPS

2           For an additional amount for “Military Personnel,  
3 Marine Corps”, \$1,425,156,000: *Provided*, That such  
4 amount is designated by the Congress for Overseas Con-  
5 tingency Operations/Global War on Terrorism pursuant to  
6 section 251(b)(2)(A)(ii) of the Balanced Budget and  
7 Emergency Deficit Control Act of 1985.

## 8           MILITARY PERSONNEL, AIR FORCE

9           For an additional amount for “Military Personnel,  
10 Air Force”, \$1,286,783,000: *Provided*, That such amount  
11 is designated by the Congress for Overseas Contingency  
12 Operations/Global War on Terrorism pursuant to section  
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

## 15           RESERVE PERSONNEL, ARMY

16           For an additional amount for “Reserve Personnel,  
17 Army”, \$156,893,000: *Provided*, That such amount is  
18 designated by the Congress for Overseas Contingency Op-  
19 erations/Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

## 22           RESERVE PERSONNEL, NAVY

23           For an additional amount for “Reserve Personnel,  
24 Navy”, \$39,335,000: *Provided*, That such amount is des-  
25 ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section  
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
3 Deficit Control Act of 1985.

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,  
6 Marine Corps”, \$24,722,000: *Provided*, That such amount  
7 is designated by the Congress for Overseas Contingency  
8 Operations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,  
13 Air Force”, \$25,348,000: *Provided*, That such amount is  
14 designated by the Congress for Overseas Contingency Op-  
15 erations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-  
20 sonnel, Army”, \$583,804,000: *Provided*, That such  
21 amount is designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.

1           ~~NATIONAL GUARD PERSONNEL, AIR FORCE~~

2           ~~For an additional amount for “National Guard Per-~~  
3 ~~sonnel, Air Force”, \$10,473,000: *Provided*, That such~~  
4 ~~amount is designated by the Congress for Overseas Con-~~  
5 ~~tingency Operations/Global War on Terrorism pursuant to~~  
6 ~~section 251(b)(2)(A)(ii) of the Balanced Budget and~~  
7 ~~Emergency Deficit Control Act of 1985.~~

8           ~~OPERATION AND MAINTENANCE~~

9           ~~OPERATION AND MAINTENANCE, ARMY~~

10          ~~For an additional amount for “Operation and Main-~~  
11 ~~tenance, Army”, \$28,452,018,000: *Provided*, That such~~  
12 ~~amount is designated by the Congress for Overseas Con-~~  
13 ~~tingency Operations/Global War on Terrorism pursuant to~~  
14 ~~section 251(b)(2)(A)(ii) of the Balanced Budget and~~  
15 ~~Emergency Deficit Control Act of 1985.~~

16          ~~OPERATION AND MAINTENANCE, NAVY~~

17          ~~For an additional amount for “Operation and Main-~~  
18 ~~tenance, Navy”, \$5,839,934,000: *Provided*, That such~~  
19 ~~amount is designated by the Congress for Overseas Con-~~  
20 ~~tingency Operations/Global War on Terrorism pursuant to~~  
21 ~~section 251(b)(2)(A)(ii) of the Balanced Budget and~~  
22 ~~Emergency Deficit Control Act of 1985.~~

23          ~~OPERATION AND MAINTENANCE, MARINE CORPS~~

24          ~~For an additional amount for “Operation and Main-~~  
25 ~~tenance, Marine Corps”, \$4,116,340,000: *Provided*, That~~

1 such amount is designated by the Congress for Overseas  
2 Contingency Operations/Global War on Terrorism pursu-  
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
4 and Emergency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, AIR FORCE

6 For an additional amount for “Operation and Main-  
7 tenance, Air Force”, \$9,249,736,000: *Provided*, That such  
8 amount is designated by the Congress for Overseas Con-  
9 tingency Operations/Global War on Terrorism pursuant to  
10 section 251(b)(2)(A)(ii) of the Balanced Budget and  
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, DEFENSE-WIDE

13 For an additional amount for “Operation and Main-  
14 tenance, Defense-Wide”, \$7,714,079,000: *Provided*, That  
15 of the funds provided under this heading, not to exceed  
16 \$1,650,000,000, to remain available until September 30,  
17 2014, shall be for payments to reimburse key cooperating  
18 nations for logistical, military, and other support, includ-  
19 ing access, provided to United States military operations  
20 in support of Operation Enduring Freedom, and post-op-  
21 eration Iraq border security related to the activities of the  
22 Office of Security Cooperation in Iraq, notwithstanding  
23 any other provision of law: *Provided further*, That such  
24 reimbursement payments may be made in such amounts  
25 as the Secretary of Defense, with the concurrence of the



1 Secretary of State, and in consultation with the Director  
2 of the Office of Management and Budget, may determine,  
3 in his discretion, based on documentation determined by  
4 the Secretary of Defense to adequately account for the  
5 support provided, and such determination is final and con-  
6 clusive upon the accounting officers of the United States,  
7 and 15 days following notification to the appropriate con-  
8 gressional committees: *Provided further*, That the require-  
9 ment under this heading to provide notification to the ap-  
10 propriate congressional committees shall not apply with  
11 respect to a reimbursement for access based on an inter-  
12 national agreement: *Provided further*, That these funds  
13 may be used for the purpose of providing specialized train-  
14 ing and procuring supplies and specialized equipment and  
15 providing such supplies and loaning such equipment on a  
16 non-reimbursable basis to coalition forces supporting  
17 United States military operations in Afghanistan, and 15  
18 days following notification to the appropriate congres-  
19 sional committees: *Provided further*, That the Secretary of  
20 Defense shall provide quarterly reports to the congres-  
21 sional defense committees on the use of funds provided  
22 in this paragraph: *Provided further*, That such amount in  
23 this section is designated by the Congress for Overseas  
24 Contingency Operations/Global War on Terrorism pursu-

1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
2 and Emergency Deficit Control Act of 1985.

3 ~~OPERATION AND MAINTENANCE, ARMY RESERVE~~

4 For an additional amount for “Operation and Main-  
5 tenance, Army Reserve”, \$157,887,000: *Provided*, That  
6 such amount is designated by the Congress for Overseas  
7 Contingency Operations/Global War on Terrorism pursu-  
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
9 and Emergency Deficit Control Act of 1985.

10 ~~OPERATION AND MAINTENANCE, NAVY RESERVE~~

11 For an additional amount for “Operation and Main-  
12 tenance, Navy Reserve”, \$55,924,000: *Provided*, That  
13 such amount is designated by the Congress for Overseas  
14 Contingency Operations/Global War on Terrorism pursu-  
15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
16 and Emergency Deficit Control Act of 1985.

17 ~~OPERATION AND MAINTENANCE, MARINE CORPS~~

18 ~~RESERVE~~

19 For an additional amount for “Operation and Main-  
20 tenance, Marine Corps Reserve”, \$25,477,000: *Provided*,  
21 That such amount is designated by the Congress for Over-  
22 seas Contingency Operations/Global War on Terrorism  
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
24 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE  
2 For an additional amount for “Operation and Main-  
3 tenance, Air Force Reserve”, \$60,618,000: *Provided*, That  
4 such amount is designated by the Congress for Overseas  
5 Contingency Operations/Global War on Terrorism pursu-  
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, ARMY NATIONAL  
9 GUARD

10 For an additional amount for “Operation and Main-  
11 tenance, Army National Guard”, \$392,448,000: *Provided,*  
12 That such amount is designated by the Congress for Over-  
13 seas Contingency Operations/Global War on Terrorism  
14 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
15 Budget and Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Main-  
tenance, Air National Guard”, \$34,500,000: *Provided*,  
That such amount is designated by the Congress for Over-  
seas Contingency Operations/Global War on Terrorism  
pursuant to section 251(b)(2)(A)(ii) of the Balanced  
Budget and Emergency Deficit Control Act of 1985.

1 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND  
2 (INCLUDING TRANSFER OF FUNDS)

3 In addition to amounts provided elsewhere in this  
4 Act, there is appropriated \$582,884,000 for the “Overseas  
5 Contingency Operations Transfer Fund” for expenses di-  
6 rectly relating to overseas contingency operations by  
7 United States military forces, to be available until ex-  
8 pended: *Provided*, That of the funds made available in this  
9 section, the Secretary of Defense may transfer these funds  
10 only to military personnel accounts, operation and mainte-  
11 nance accounts, procurement accounts, and working cap-  
12 ital fund accounts: *Provided further*, That the funds made  
13 available in this paragraph may only be used for pro-  
14 grams, projects, or activities categorized as Overseas Con-  
15 tingency Operations in the fiscal year 2013 budget request  
16 for the Department of Defense and the justification mate-  
17 rial and other documentation supporting such request:  
18 *Provided further*, That the funds transferred shall be  
19 merged with and shall be available for the same purposes  
20 and for the same time period, as the appropriation to  
21 which transferred: *Provided further*, That the Secretary  
22 shall notify the congressional defense committees 15 days  
23 prior to such transfer: *Provided further*, That the transfer  
24 authority provided under this heading is in addition to any  
25 other transfer authority available to the Department of

1 Defense: *Provided further*, That upon a determination that  
 2 all or part of the funds transferred from this appropriation  
 3 are not necessary for the purposes provided herein, such  
 4 amounts may be transferred back to this appropriation  
 5 and shall be available for the same purposes and for the  
 6 same time period as originally appropriated: *Provided fur-*  
 7 *ther*, That such amount is designated by the Congress for  
 8 Overseas Contingency Operations/Global War on Ter-  
 9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
 10 anced Budget and Emergency Deficit Control Act of 1985.

11           AFGHANISTAN INFRASTRUCTURE FUND

12                   (INCLUDING TRANSFER OF FUNDS)

13       For the “Afghanistan Infrastructure Fund”,  
 14 \$325,000,000, to remain available until September 30,  
 15 2014: *Provided*, That such funds shall be available to the  
 16 Secretary of Defense for infrastructure projects in Af-  
 17 ghanistan, notwithstanding any other provision of law,  
 18 which shall be undertaken by the Secretary of State, un-  
 19 less the Secretary of State and the Secretary of Defense  
 20 jointly decide that a specific project will be undertaken  
 21 by the Department of Defense: *Provided further*, That the  
 22 infrastructure referred to in the preceding proviso is in  
 23 support of the counterinsurgency strategy, which may re-  
 24 quire funding for facility and infrastructure projects, in-  
 25 cluding, but not limited to, water, power, and transpor-

1 tation projects and related maintenance and sustainment  
2 costs: *Provided further*, That the authority to undertake  
3 such infrastructure projects is in addition to any other au-  
4 thority to provide assistance to foreign nations: *Provided*  
5 *further*, That any projects funded under this heading shall  
6 be jointly formulated and concurred in by the Secretary  
7 of State and Secretary of Defense: *Provided further*, That  
8 funds may be transferred to the Department of State for  
9 purposes of undertaking projects, which funds shall be  
10 considered to be economic assistance under the Foreign  
11 Assistance Act of 1961 for purposes of making available  
12 the administrative authorities contained in that Act: *Pro-*  
13 *vided further*, That the transfer authority in the preceding  
14 proviso is in addition to any other authority available to  
15 the Department of Defense to transfer funds: *Provided*  
16 *further*, That any unexpended funds transferred to the  
17 Secretary of State under this authority shall be returned  
18 to the Afghanistan Infrastructure Fund if the Secretary  
19 of State, in coordination with the Secretary of Defense,  
20 determines that the project cannot be implemented for any  
21 reason, or that the project no longer supports the counter-  
22 insurgency strategy in Afghanistan: *Provided further*,  
23 That any funds returned to the Secretary of Defense  
24 under the previous proviso shall be available for use under  
25 this appropriation and shall be treated in the same man-

1 ner as funds not transferred to the Secretary of State:  
 2 *Provided further*, That contributions of funds for the pur-  
 3 poses provided herein to the Secretary of State in accord-  
 4 ance with section 635(d) of the Foreign Assistance Act  
 5 from any person, foreign government, or international or-  
 6 ganization may be credited to this Fund, to remain avail-  
 7 able until expended, and used for such purposes: *Provided*  
 8 *further*, That the Secretary of Defense shall, not fewer  
 9 than 15 days prior to making transfers to or from, or obli-  
 10 gations from the Fund, notify the appropriate committees  
 11 of Congress in writing of the details of any such transfer:  
 12 *Provided further*, That the “appropriate committees of  
 13 Congress” are the Committees on Armed Services, For-  
 14 eign Relations and Appropriations of the Senate and the  
 15 Committees on Armed Services, Foreign Affairs and Ap-  
 16 propriations of the House of Representatives: *Provided*  
 17 *further*, That such amount is designated by the Congress  
 18 for Overseas Contingency Operations/Global War on Ter-  
 19 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
 20 anced Budget and Emergency Deficit Control Act of 1985.

#### 21           AFGHANISTAN SECURITY FORCES FUND

22       For the “Afghanistan Security Forces Fund”,  
 23 \$5,124,167,000, to remain available until September 30,  
 24 2014: *Provided*, That such funds shall be available to the  
 25 Secretary of Defense, notwithstanding any other provision

1 of law, for the purpose of allowing the Commander, Com-  
2 bined Security Transition Command—Afghanistan, or the  
3 Secretary's designee, to provide assistance, with the con-  
4 currence of the Secretary of State, to the security forces  
5 of Afghanistan, including the provision of equipment, sup-  
6 plies, services, training, facility and infrastructure repair,  
7 renovation, and construction, and funding: *Provided fur-*  
8 *ther*, That the authority to provide assistance under this  
9 heading is in addition to any other authority to provide  
10 assistance to foreign nations: *Provided further*, That con-  
11 tributions of funds for the purposes provided herein from  
12 any person, foreign government, or international organiza-  
13 tion may be credited to this Fund, to remain available  
14 until expended, and used for such purposes: *Provided fur-*  
15 *ther*, That the Secretary of Defense shall notify the con-  
16 gressional defense committees in writing upon the receipt  
17 and upon the obligation of any contribution, delineating  
18 the sources and amounts of the funds received and the  
19 specific use of such contributions: *Provided further*, That  
20 the Secretary of Defense shall, not fewer than 15 days  
21 prior to obligating from this appropriation account, notify  
22 the congressional defense committees in writing of the de-  
23 tails of any such obligation: *Provided further*, That the  
24 Secretary of Defense shall notify the congressional defense  
25 committees of any proposed new projects or transfer of



1 funds between budget sub-activity groups in excess of  
 2 \$20,000,000: *Provided further*, That such amount is des-  
 3 ignated by the Congress for Overseas Contingency Oper-  
 4 ations/Global War on Terrorism pursuant to section  
 5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
 6 Deficit Control Act of 1985.

## 7 PROCUREMENT

### 8 AIRCRAFT PROCUREMENT, ARMY

9 For an additional amount for “Aircraft Procurement,  
 10 Army”, \$550,700,000, to remain available until Sep-  
 11 tember 30, 2015: *Provided*, That such amount is des-  
 12 ignated by the Congress for Overseas Contingency Oper-  
 13 ations/Global War on Terrorism pursuant to section  
 14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
 15 Deficit Control Act of 1985.

### 16 MISSILE PROCUREMENT, ARMY

17 For an additional amount for “Missile Procurement,  
 18 Army”, \$67,951,000, to remain available until September  
 19 30, 2015: *Provided*, That such amount is designated by  
 20 the Congress for Overseas Contingency Operations/Global  
 21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
 22 the Balanced Budget and Emergency Deficit Control Act  
 23 of 1985.

10 PROCUREMENT OF AMMUNITION, ARMY

18 ~~OTHER PROCUREMENT, ARMY~~

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## 1                   AIRCRAFT PROCUREMENT, NAVY

2           For an additional amount for “Aircraft Procurement,  
3 Navy”, ~~\$215,698,000~~, to remain available until September  
4 30, 2015: *Provided*, That such amount is designated by  
5 the Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

## 9                   WEAPONS PROCUREMENT, NAVY

10          For an additional amount for “Weapons Procure-  
11 ment, Navy”, ~~\$22,500,000~~, to remain available until Sep-  
12 tember 30, 2015: *Provided*, That such amount is des-  
13 ignated by the Congress for Overseas Contingency Oper-  
14 ations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

17       PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
18   CORPS

19          For an additional amount for “Procurement of Am-  
20 munition, Navy and Marine Corps”, ~~\$283,059,000~~, to re-  
21 main available until September 30, 2015: *Provided*, That  
22 such amount is designated by the Congress for Overseas  
23 Contingency Operations/Global War on Terrorism pursu-  
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
25 and Emergency Deficit Control Act of 1985.

## 1                   OTHER PROCUREMENT, NAVY

2           For an additional amount for “Other Procurement,  
3 Navy”, \$98,882,000, to remain available until September  
4 30, 2015: *Provided*, That such amount is designated by  
5 the Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

## 9                   PROCUREMENT, MARINE CORPS

10          For an additional amount for “Procurement, Marine  
11 Corps”, \$822,054,000, to remain available until Sep-  
12 tember 30, 2015: *Provided*, That such amount is des-  
13 ignated by the Congress for Overseas Contingency Oper-  
14 ations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

## 17                   AIRCRAFT PROCUREMENT, AIR FORCE

18          For an additional amount for “Aircraft Procurement,  
19 Air Force”, \$305,600,000, to remain available until Sep-  
20 tember 30, 2015: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

1                   MISSILE PROCUREMENT, AIR FORCE

2           For an additional amount for “Missile Procurement,  
3 Air Force”, \$34,350,000, to remain available until Sep-  
4 tember 30, 2015: *Provided*, That such amount is des-  
5 ignated by the Congress for Overseas Contingency Oper-  
6 ations/Global War on Terrorism pursuant to section  
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
8 Deficit Control Act of 1985.

9                   PROCUREMENT OF AMMUNITION, AIR FORCE

10          For an additional amount for “Procurement of Am-  
11 munition, Air Force”, \$116,203,000, to remain available  
12 until September 30, 2015: *Provided*, That such amount  
13 is designated by the Congress for Overseas Contingency  
14 Operations/Global War on Terrorism pursuant to section  
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

17                   OTHER PROCUREMENT, AIR FORCE

18          For an additional amount for “Other Procurement,  
19 Air Force”, \$2,680,270,000, to remain available until  
20 September 30, 2015: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

1                    ~~PROCUREMENT, DEFENSE-WIDE~~

2            For an additional amount for “Procurement, De-  
3 ~~fense-Wide~~”, \$188,099,000, to remain available until Sep-  
4 ~~tember 30, 2015~~: *Provided*, That such amount is des-  
5 ~~ignated by the Congress for Overseas Contingency Oper-~~  
6 ~~ations/Global War on Terrorism pursuant to section~~  
7 ~~251(b)(2)(A)(ii) of the Balanced Budget and Emergency~~  
8 ~~Deficit Control Act of 1985.~~

9                    ~~NATIONAL GUARD AND RESERVE EQUIPMENT~~

10          For procurement of aircraft, missiles, tracked combat  
11 vehicles, ammunition, other weapons and other procure-  
12 ment for the reserve components of the Armed Forces,  
13 \$1,500,000,000, to remain available for obligation until  
14 ~~September 30, 2015~~: *Provided*, That the Chiefs of Na-  
15 ~~tional Guard and Reserve components shall, not later than~~  
16 ~~30 days after the enactment of this Act, individually sub-~~  
17 ~~mit to the congressional defense committees the mod-~~  
18 ~~ernization priority assessment for their respective Na-~~  
19 ~~tional Guard or Reserve component~~: *Provided further*,  
20 That such amount is designated by the Congress for Over-  
21 ~~seas Contingency Operations/Global War on Terrorism~~  
22 ~~pursuant to section 251(b)(2)(A)(ii) of the Balanced~~  
23 ~~Budget and Emergency Deficit Control Act of 1985.~~

3 ~~RESEARCH, DEVELOPMENT, TEST AND EVALUATION,~~  
4 ~~ARMY~~

12 ~~RESEARCH, DEVELOPMENT, TEST AND EVALUATION,~~  
13 ~~NAVY~~

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
22 AIR FORCE

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1 That such amount is designated by the Congress for Over-  
 2 seas Contingency Operations/Global War on Terrorism  
 3 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
 4 Budget and Emergency Deficit Control Act of 1985.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
 6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-  
 8 ment, Test and Evaluation, Defense-Wide”,  
 9 \$112,387,000, to remain available until September 30,  
 10 2014: *Provided*, That such amount is designated by the  
 11 Congress for Overseas Contingency Operations/Global  
 12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
 13 the Balanced Budget and Emergency Deficit Control Act  
 14 of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

17 For an additional amount for “Defense Working  
 18 Capital Funds”, \$243,600,000: *Provided*, That such  
 19 amount is designated by the Congress for Overseas Con-  
 20 tingency Operations/Global War on Terrorism pursuant to  
 21 section 251(b)(2)(A)(ii) of the Balanced Budget and  
 22 Emergency Deficit Control Act of 1985.



## 1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

## 2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-  
4 gram”, \$993,898,000, which shall be for operation and  
5 maintenance: *Provided*, That such amount is designated  
6 by the Congress for Overseas Contingency Operations/  
7 Global War on Terrorism pursuant to section  
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
11 DEFENSE

12 For an additional amount for “Drug Interdiction and  
13 Counter-Drug Activities, Defense”, \$469,025,000, to re-  
14 main available until September 30, 2014: *Provided*, That  
15 such amount is designated by the Congress for Overseas  
16 Contingency Operations/Global War on Terrorism pursu-  
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

19 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND  
20 (INCLUDING TRANSFER OF FUNDS)

21 For the “Joint Improvised Explosive Device Defeat  
22 Fund”, \$1,622,614,000, to remain available until Sep-  
23 tember 30, 2015: *Provided*, That such funds shall be avail-  
24 able to the Secretary of Defense, notwithstanding any  
25 other provision of law, for the purpose of allowing the Di-

1 rector of the Joint Improvised Explosive Device Defeat  
2 Organization to investigate, develop and provide equip-  
3 ment, supplies, services, training, facilities, personnel and  
4 funds to assist United States forces in the defeat of impro-  
5 vised explosive devices: *Provided further*, That the Sec-  
6 retary of Defense may transfer funds provided herein to  
7 appropriations for military personnel; operation and main-  
8 tenance; procurement; research, development, test and  
9 evaluation; and defense working capital funds to accom-  
10 plish the purpose provided herein: *Provided further*, That  
11 this transfer authority is in addition to any other transfer  
12 authority available to the Department of Defense: *Pro-*  
13 *vided further*, That the Secretary of Defense shall, not  
14 fewer than 15 days prior to making transfers from this  
15 appropriation, notify the congressional defense committees  
16 in writing of the details of any such transfer: *Provided*  
17 *further*, That such amount is designated by the Congress  
18 for Overseas Contingency Operations/Global War on Ter-  
19 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
20 anced Budget and Emergency Deficit Control Act of 1985.

21 OFFICE OF THE INSPECTOR GENERAL

22 For an additional amount for the “Office of the In-  
23 spector General”, \$10,766,000: *Provided*, That such  
24 amount is designated by the Congress for Overseas Con-  
25 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and  
2 Emergency Deficit Control Act of 1985.

3 ~~GENERAL PROVISIONS—THIS TITLE~~

4 ~~SEC. 9001.~~ Notwithstanding any other provision of  
5 law, funds made available in this title are in addition to  
6 amounts appropriated or otherwise made available for the  
7 Department of Defense for fiscal year 2013.

8 ~~(INCLUDING TRANSFER OF FUNDS)~~

9 ~~SEC. 9002.~~ Upon the determination of the Secretary  
10 of Defense that such action is necessary in the national  
11 interest, the Secretary may, with the approval of the Of-  
12 fice of Management and Budget, transfer up to  
13 \$3,500,000,000 between the appropriations or funds made  
14 available to the Department of Defense in this title: *Pro-*  
15 *vided*, That the Secretary shall notify the Congress  
16 promptly of each transfer made pursuant to the authority  
17 in this section: *Provided further*, That the authority pro-  
18 vided in this section is in addition to any other transfer  
19 authority available to the Department of Defense and is  
20 subject to the same terms and conditions as the authority  
21 provided in the Department of Defense Appropriations  
22 Act, 2013.

23 ~~SEC. 9003.~~ Supervision and administration costs as-  
24 sociated with a construction project funded with appro-  
25 priations available for operation and maintenance, “Af-

1 ghanistan Infrastructure Fund”, or the “Afghanistan Se-  
2 curity Forces Fund” provided in this Act and executed  
3 in direct support of overseas contingency operations in Af-  
4 ghanistan, may be obligated at the time a construction  
5 contract is awarded: *Provided*, That for the purpose of this  
6 section, supervision and administration costs include all  
7 in-house Government costs.

8       SEC. 9004. From funds made available in this title,  
9 the Secretary of Defense may purchase for use by military  
10 and civilian employees of the Department of Defense in  
11 the U.S. Central Command area of responsibility: (a) pas-  
12 senger motor vehicles up to a limit of \$75,000 per vehicle;  
13 and (b) heavy and light armored vehicles for the physical  
14 security of personnel or for force protection purposes up  
15 to a limit of \$250,000 per vehicle, notwithstanding price  
16 or other limitations applicable to the purchase of pas-  
17 senger carrying vehicles.

18       SEC. 9005. Not to exceed \$200,000,000 of the  
19 amount appropriated in this title under the heading “Op-  
20 eration and Maintenance, Army” may be used, notwith-  
21 standing any other provision of law, to fund the Com-  
22 mander’s Emergency Response Program (CERP), for the  
23 purpose of enabling military commanders in Afghanistan  
24 to respond to urgent, small-scale, humanitarian relief and  
25 reconstruction requirements within their areas of responsi-

1 bility: *Provided*, That each project (including any ancillary  
2 or related elements in connection with such project) exe-  
3 cuted under this authority shall not exceed \$20,000,000:  
4 *Provided further*, That not later than 45 days after the  
5 end of each fiscal year quarter, the Secretary of Defense  
6 shall submit to the congressional defense committees a re-  
7 port regarding the source of funds and the allocation and  
8 use of funds during that quarter that were made available  
9 pursuant to the authority provided in this section or under  
10 any other provision of law for the purposes described here-  
11 in: *Provided further*, That, not later than 30 days after  
12 the end of each month, the Army shall submit to the con-  
13 gressional defense committees monthly commitment, obli-  
14 gation, and expenditure data for the Commander's Emer-  
15 gency Response Program in Afghanistan: *Provided fur-*  
16 *ther*, That not less than 15 days before making funds  
17 available pursuant to the authority provided in this section  
18 or under any other provision of law for the purposes de-  
19 scribed herein for a project with a total anticipated cost  
20 for completion of \$5,000,000 or more, the Secretary shall  
21 submit to the congressional defense committees a written  
22 notice containing each of the following:

- 23           (1) The location, nature and purpose of the  
24           proposed project, including how the project is in-

1 tended to advance the military campaign plan for  
2 the country in which it is to be carried out.

3 (2) The budget, implementation timeline with  
4 milestones, and completion date for the proposed  
5 project, including any other CERP funding that has  
6 been or is anticipated to be contributed to the com-  
7 pletion of the project.

8 (3) A plan for the sustainment of the proposed  
9 project, including the agreement with either the host  
10 nation, a non-Department of Defense agency of the  
11 United States Government or a third-party contrib-  
12 utor to finance the sustainment of the activities and  
13 maintenance of any equipment or facilities to be pro-  
14 vided through the proposed project.

15 SEC. 9006. Funds available to the Department of De-  
16 fense for operation and maintenance may be used, not-  
17 withstanding any other provision of law, to provide sup-  
18 plies, services, transportation, including airlift and sealift,  
19 and other logistical support to coalition forces supporting  
20 military and stability operations in Afghanistan: *Provided,*  
21 That the Secretary of Defense shall provide quarterly re-  
22 ports to the congressional defense committees regarding  
23 support provided under this section.

24 SEC. 9007. None of the funds appropriated or other-  
25 wise made available by this or any other Act shall be obli-

1 gated or expended by the United States Government for  
2 a purpose as follows:

3           (1) To establish any military installation or  
4           base for the purpose of providing for the permanent  
5           stationing of United States Armed Forces in Iraq.

6           (2) To exercise United States control over any  
7           oil resource of Iraq.

8           (3) To establish any military installation or  
9           base for the purpose of providing for the permanent  
10          stationing of United States Armed Forces in Af-  
11          ghanistan.

12       SEC. 9008. None of the funds made available in this  
13 Act may be used in contravention of the following laws  
14 enacted or regulations promulgated to implement the  
15 United Nations Convention Against Torture and Other  
16 Cruel, Inhuman or Degrading Treatment or Punishment  
17 (done at New York on December 10, 1984):

18           (1) Section 2340A of title 18, United States  
19       Code.

20           (2) Section 2242 of the Foreign Affairs Reform  
21       and Restructuring Act of 1998 (division G of Public  
22       Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231  
23       note) and regulations prescribed thereto, including  
24       regulations under part 208 of title 8, Code of Fed-

1       eral Regulations, and part 95 of title 22, Code of  
2       Federal Regulations.

3           ~~(3) Sections 1002 and 1003 of the Department~~  
4       of Defense, Emergency Supplemental Appropriations  
5       to Address Hurricanes in the Gulf of Mexico, and  
6       Pandemic Influenza Act, 2006 (Public Law 109–  
7       148).

8       SEC. 9009. None of the funds provided for the “Af-  
9       ghanistan Security Forces Fund” (ASFF) may be obli-  
10      gated prior to the approval of a financial and activity plan  
11      by the Afghanistan Resources Oversight Council (AROC)  
12      of the Department of Defense: *Provided*, That the AROC  
13      must approve the requirement and acquisition plan for any  
14      service requirements in excess of \$50,000,000 annually  
15      and any non-standard equipment requirements in excess  
16      of \$100,000,000 using ASFF: *Provided further*, That the  
17      AROC must approve all projects and the execution plan  
18      under the “Afghanistan Infrastructure Fund” (AIF) and  
19      any project in excess of \$5,000,000 from the Commanders  
20      Emergency Response Program (CERP): *Provided further*,  
21      That the Department of Defense must certify to the con-  
22      gressional defense committees that the AROC has con-  
23      vened and approved a process for ensuring compliance  
24      with the requirements in the preceding provisos and ac-



1 accompanying report language for the ASFF, AIF, and  
2 CERP.

3       SEC. 9010. Funds made available in this title to the  
4 Department of Defense for operation and maintenance  
5 may be used to purchase items having an investment unit  
6 cost of not more than \$250,000: *Provided*, That, upon de-  
7 termination by the Secretary of Defense that such action  
8 is necessary to meet the operational requirements of a  
9 Commander of a Combatant Command engaged in contin-  
10 ugency operations overseas, such funds may be used to pur-  
11 chase items having an investment item unit cost of not  
12 more than \$500,000.

13       SEC. 9011. Notwithstanding any other provision of  
14 law, up to \$93,000,000 of funds made available in this  
15 title under the heading “Operation and Maintenance;  
16 Army” may be obligated and expended for purposes of the  
17 Task Force for Business and Stability Operations, subject  
18 to the direction and control of the Secretary of Defense,  
19 with concurrence of the Secretary of State, to carry out  
20 strategic business and economic assistance activities in Af-  
21 ghanistan in support of Operation Enduring Freedom:  
22 *Provided*, That not less than 15 days before making funds  
23 available pursuant to the authority provided in this section  
24 for any project with a total anticipated cost of \$5,000,000  
25 or more, the Secretary shall submit to the congressional

1 defense committees a written notice containing a detailed  
2 justification and timeline for each proposed project.

3       ~~SEC. 9012. From funds made available to the De-~~  
4 ~~partment of Defense in this title under the heading “Oper-~~  
5 ~~ation and Maintenance, Air Force” up to \$508,000,000~~  
6 ~~may be used by the Secretary of Defense, notwithstanding~~  
7 ~~any other provision of law, to support United States Gov-~~  
8 ~~ernment transition activities in Iraq by funding the oper-~~  
9 ~~ations and activities of the Office of Security Cooperation~~  
10 ~~in Iraq and security assistance teams, including life sup-~~  
11 ~~port, transportation and personal security, and facilities~~  
12 ~~renovation and construction: *Provided*, That to the extent~~  
13 ~~authorized under the National Defense Authorization Act~~  
14 ~~for Fiscal Year 2013, the operations and activities that~~  
15 ~~may be carried out by the Office of Security Cooperation~~  
16 ~~in Iraq may, with the concurrence of the Secretary of~~  
17 ~~State, include non-operational training activities in sup-~~  
18 ~~port of Iraqi Ministry of Defense and Counter Terrorism~~  
19 ~~Service personnel in an institutional environment to ad-~~  
20 ~~dress capability gaps, integrate processes relating to intel-~~  
21 ~~ligence, air sovereignty, combined arms, logistics and~~  
22 ~~maintenance, and to manage and integrate defense-related~~  
23 ~~institutions: *Provided further*, That not later than 30 days~~  
24 ~~following the enactment of this Act, the Secretary of De-~~  
25 ~~fense and the Secretary of State shall submit to the con-~~

1 gressional defense committees a plan for transitioning any  
 2 such training activities that they determine are needed  
 3 after the end of fiscal year 2013, to existing or new con-  
 4 tracts for the sale of defense articles or defense services  
 5 consistent with the provisions of the Arms Export Control  
 6 Act (22 U.S.C. 2751 et seq.): *Provided further*, That not  
 7 less than 15 days before making funds available pursuant  
 8 to the authority provided in this section, the Secretary of  
 9 Defense shall submit to the congressional defense commit-  
 10 tees a written notification containing a detailed justifica-  
 11 tion and timeline for the operations and activities of the  
 12 Office of Security Cooperation in Iraq at each site where  
 13 such operations and activities will be conducted during fis-  
 14 cal year 2013.

15 (RESCISSIONS)

16 SEC. 9013. Of the funds appropriated in Department  
 17 of Defense Appropriations Acts, the following funds are  
 18 hereby rescinded from the following accounts and pro-  
 19 grams in the specified amounts: *Provided*, That such  
 20 amounts are designated by the Congress for Overseas  
 21 Contingency Operations/Global War on Terrorism pursu-  
 22 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
 23 and Emergency Deficit Control Act of 1985:

24 “Retroactive Stop Loss Special Pay Program,  
 25 2009/XXXX”, \$127,200,000;

1           “Afghanistan Security Forces Fund, 2012/  
2           2013”, \$1,000,000,000;

3           “Other Procurement, Army, 2012/2014”,  
4           \$207,600,000;

5           “Procurement of Ammunition, Navy and Ma-  
6           rine Corps, 2012/2014”, \$32,176,000;

7           “Procurement, Marine Corps, 2012/2014”,  
8           \$2,776,000;

9           “Mine Resistant Ambush Protected Vehicle  
10          Fund, 2012/2013”, \$400,000,000;

11          “Research, Development, Test and Evaluation,  
12          Air Force, 2012/2013”, \$50,000,000;

13          “Joint Improvised Explosive Device Defeat  
14          Fund, 2012/2014”, \$40,300,000.

15          SEC. 9014. (a) None of the funds appropriated or  
16 otherwise made available by this Act under the heading  
17 “Operation and Maintenance, Defense-Wide” for pay-  
18 ments under section 1233 of Public Law 110–181 for re-  
19 imbursement to the Government of Pakistan may be made  
20 available unless the Secretary of Defense, in coordination  
21 with the Secretary of State, certifies to the Committees  
22 on Appropriations that the Government of Pakistan is—

23           (1) cooperating with the United States in  
24           counterterrorism efforts against the Haqqani Net-  
25           work, the Quetta Shura Taliban, Lashkar e-Tayyiba,

1       Jaish-e-Mohammed, Al Qaeda, and other domestic  
2       and foreign terrorist organizations, including taking  
3       steps to end support for such groups and prevent  
4       them from basing and operating in Pakistan and  
5       carrying out cross border attacks into neighboring  
6       countries;

7               (2) not supporting terrorist activities against  
8       United States or coalition forces in Afghanistan, and  
9       Pakistan's military and intelligence agencies are not  
10      intervening extra-judicially into political and judicial  
11      processes in Pakistan;

12              (3) dismantling improvised explosive device  
13      (IED) networks and interdicting precursor chemicals  
14      used in the manufacture of IEDs;

15              (4) preventing the proliferation of nuclear-re-  
16      lated material and expertise;

17              (5) issuing visas in a timely manner for United  
18      States visitors engaged in counterterrorism efforts  
19      and assistance programs in Pakistan; and

20              (6) providing humanitarian organizations access  
21      to detainees, internally displaced persons, and other  
22      Pakistani civilians affected by the conflict.

23      (b) The Secretary of Defense, in coordination with  
24      the Secretary of State, may waive the restriction in para-  
25      graph (a) on a case-by-case basis by certifying in writing

1 to the Committees on Appropriations of the House of Rep-  
 2 resentatives and the Senate that it is in the national secu-  
 3 rity interest to do so: *Provided*, That if the Secretary of  
 4 Defense, in coordination with the Secretary of State, exer-  
 5 cises the authority of the previous proviso, the Secretaries  
 6 shall report to the Committees on Appropriations on both  
 7 the justification for the waiver and on the requirements  
 8 of this section that the Government of Pakistan was not  
 9 able to meet: *Provided further*, That such report may be  
 10 submitted in classified form if necessary.

11 This division may be cited as the “Department of De-  
 12 fense Appropriations Act, 2013”.

13 DIVISION B—MILITARY CONSTRUCTION AND  
 14 VETERANS AFFAIRS, AND RELATED AGEN-  
 15 CIES APPROPRIATIONS ACT, 2013

16 The following sums are hereby appropriated, out of  
 17 any money in the Treasury not otherwise appropriated,  
 18 for military construction, the Department of Veterans Af-  
 19 fairs, and related agencies for the fiscal year ending Sep-  
 20 tember 30, 2013, and for other purposes, namely:

21 TITLE I

22 DEPARTMENT OF DEFENSE

23 MILITARY CONSTRUCTION, ARMY

24 For acquisition, construction, installation, and equip-  
 25 ment of temporary or permanent public works, military

1 installations, facilities, and real property for the Army as  
2 currently authorized by law, including personnel in the  
3 Army Corps of Engineers and other personal services necessary  
4 for the purposes of this appropriation, and for construction  
5 and operation of facilities in support of the functions  
6 of the Commander in Chief, \$1,684,323,000, to remain  
7 available until September 30, 2017: *Provided*, That  
8 of this amount, not to exceed \$80,173,000 shall be available  
9 for study, planning, design, architect and engineer  
10 services, and host nation support, as authorized by law,  
11 unless the Secretary of Army determines that additional  
12 obligations are necessary for such purposes and notifies  
13 the Committees on Appropriations of both Houses of Congress  
14 of the determination and the reasons therefor.

15 **MILITARY CONSTRUCTION, NAVY AND MARINE CORPS**

16 For acquisition, construction, installation, and equipment  
17 of temporary or permanent public works, naval installations,  
18 facilities, and real property for the Navy and Marine Corps  
19 as currently authorized by law, including personnel in the  
20 Naval Facilities Engineering Command and other personal  
21 services necessary for the purposes of this appropriation,  
22 \$1,549,164,000, to remain available until September 30,  
23 2017: *Provided*, That of this amount, not to exceed  
24 \$102,619,000 shall be available for study, planning,  
25 design, and architect and engineer services, as

1 authorized by law, unless the Secretary of Navy deter-  
 2 mines that additional obligations are necessary for such  
 3 purposes and notifies the Committees on Appropriations  
 4 of both Houses of Congress of the determination and the  
 5 reasons therefor.

6 ~~MILITARY CONSTRUCTION, AIR FORCE~~

7 ~~For acquisition, construction, installation, and equip-~~  
 8 ~~ment of temporary or permanent public works, military~~  
 9 ~~installations, facilities, and real property for the Air Force~~  
 10 ~~as currently authorized by law, \$322,543,000, to remain~~  
 11 ~~available until September 30, 2017: *Provided*, That of this~~  
 12 ~~amount, not to exceed \$18,635,000 shall be available for~~  
 13 ~~study, planning, design, and architect and engineer serv-~~  
 14 ~~ices, as authorized by law, unless the Secretary of Air~~  
 15 ~~Force determines that additional obligations are necessary~~  
 16 ~~for such purposes and notifies the Committees on Appro-~~  
 17 ~~priations of both Houses of Congress of the determination~~  
 18 ~~and the reasons therefor.~~

19 ~~MILITARY CONSTRUCTION, DEFENSE-WIDE~~

20 ~~(INCLUDING TRANSFER OF FUNDS)~~

21 ~~For acquisition, construction, installation, and equip-~~  
 22 ~~ment of temporary or permanent public works, installa-~~  
 23 ~~tions, facilities, and real property for activities and agen-~~  
 24 ~~cies of the Department of Defense (other than the military~~  
 25 ~~departments), as currently authorized by law,~~



~~1 \$3,582,423,000, to remain available until September 30,~~  
~~2 2017: *Provided*, That such amounts of this appropriation~~  
~~3 as may be determined by the Secretary of Defense may~~  
~~4 be transferred to such appropriations of the Department~~  
~~5 of Defense available for military construction or family~~  
~~6 housing as the Secretary may designate, to be merged with~~  
~~7 and to be available for the same purposes, and for the~~  
~~8 same time period, as the appropriation or fund to which~~  
~~9 transferred: *Provided further*, That of the amount appro-~~  
~~10 priated, not to exceed \$315,562,000 shall be available for~~  
~~11 study, planning, design, and architect and engineer serv-~~  
~~12 ices, as authorized by law, unless the Secretary of Defense~~  
~~13 determines that additional obligations are necessary for~~  
~~14 such purposes and notifies the Committees on Appropria-~~  
~~15 tions of both Houses of Congress of the determination and~~  
~~16 the reasons therefor: *Provided further*, That of the amount~~  
~~17 appropriated, notwithstanding any other provision of law,~~  
~~18 \$26,969,000 shall be available for payments to the North~~  
~~19 Atlantic Treaty Organization for the planning, design, and~~  
~~20 construction of a new North Atlantic Treaty Organization~~  
~~21 headquarters.~~

22     MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

23         For construction, acquisition, expansion, rehabilita-  
 24 tion, and conversion of facilities for the training and ad-  
 25 ministration of the Army National Guard, and contribu-

1 tions therefor, as authorized by chapter 1803 of title 10,  
2 United States Code, and Military Construction Authoriza-  
3 tion Acts, \$613,799,000, to remain available until Sep-  
4 tember 30, 2017: *Provided*, That of the amount appro-  
5 priated, not to exceed \$26,622,000 shall be available for  
6 study, planning, design, and architect and engineer serv-  
7 ices, as authorized by law, unless the Director of the Army  
8 National Guard determines that additional obligations are  
9 necessary for such purposes and notifies the Committees  
10 on Appropriations of both Houses of Congress of the de-  
11 termination and the reasons therefor.

12       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

13       For construction, acquisition, expansion, rehabilita-  
14 tion, and conversion of facilities for the training and ad-  
15 ministration of the Air National Guard, and contributions  
16 therefor, as authorized by chapter 1803 of title 10, United  
17 States Code, and Military Construction Authorization  
18 Acts, \$42,386,000, to remain available until September  
19 30, 2017: *Provided*, That of the amount appropriated, not  
20 to exceed \$4,000,000 shall be available for study, plan-  
21 ning, design, and architect and engineer services, as au-  
22 thorized by law, unless the Director of the Air National  
23 Guard determines that additional obligations are nec-  
24 essary for such purposes and notifies the Committees on

1 Appropriations of both Houses of Congress of the deter-  
2 mination and the reasons therefor.

3 ~~MILITARY CONSTRUCTION, ARMY RESERVE~~

4 ~~For construction, acquisition, expansion, rehabilita-~~  
5 ~~tion, and conversion of facilities for the training and ad-~~  
6 ~~ministration of the Army Reserve as authorized by chapter~~  
7 ~~1803 of title 10, United States Code, and Military Con-~~  
8 ~~struction Authorization Acts, \$305,846,000, to remain~~  
9 ~~available until September 30, 2017: *Provided*, That of the~~  
10 ~~amount appropriated, not to exceed \$15,951,000 shall be~~  
11 ~~available for study, planning, design, and architect and en-~~  
12 ~~gineer services, as authorized by law, unless the Chief of~~  
13 ~~the Army Reserve determines that additional obligations~~  
14 ~~are necessary for such purposes and notifies the Commit-~~  
15 ~~tees on Appropriations of both Houses of Congress of the~~  
16 ~~determination and the reasons therefor.~~

17 ~~MILITARY CONSTRUCTION, NAVY RESERVE~~

18 ~~For construction, acquisition, expansion, rehabilita-~~  
19 ~~tion, and conversion of facilities for the training and ad-~~  
20 ~~ministration of the reserve components of the Navy and~~  
21 ~~Marine Corps as authorized by chapter 1803 of title 10,~~  
22 ~~United States Code, and Military Construction Authoriza-~~  
23 ~~tion Acts, \$49,532,000, to remain available until Sep-~~  
24 ~~tember 30, 2017: *Provided*, That of the amount appro-~~  
25 ~~priated, not to exceed \$2,118,000 shall be available for~~

1 study, planning, design, and architect and engineer serv-  
2 ices, as authorized by law, unless the Secretary of the  
3 Navy determines that additional obligations are necessary  
4 for such purposes and notifies the Committees on Appro-  
5 priations of both Houses of Congress of the determination  
6 and the reasons therefor.

7       MILITARY CONSTRUCTION, AIR FORCE RESERVE

8       For construction, acquisition, expansion, rehabilita-  
9 tion, and conversion of facilities for the training and ad-  
10 ministration of the Air Force Reserve as authorized by  
11 chapter 1803 of title 10, United States Code, and Military  
12 Construction Authorization Acts, \$10,979,000, to remain  
13 available until September 30, 2017: *Provided*, That of the  
14 amount appropriated, not to exceed \$2,879,000 shall be  
15 available for study, planning, design, and architect and en-  
16 gineer services, as authorized by law, unless the Chief of  
17 the Air Force Reserve determines that additional obliga-  
18 tions are necessary for such purposes and notifies the  
19 Committees on Appropriations of both Houses of Congress  
20 of the determination and the reasons therefor.

21               NORTH ATLANTIC TREATY ORGANIZATION

22                       SECURITY INVESTMENT PROGRAM

23       For the United States share of the cost of the North  
24 Atlantic Treaty Organization Security Investment Pro-  
25 gram for the acquisition and construction of military fa-

1 cilities and installations (including international military  
2 headquarters) and for related expenses for the collective  
3 defense of the North Atlantic Treaty Area as authorized  
4 by section 2806 of title 10, United States Code, and Mili-  
5 tary Construction Authorization Acts, \$254,163,000, to  
6 remain available until expended.

7           FAMILY HOUSING CONSTRUCTION, ARMY

8           For expenses of family housing for the Army for con-  
9 struction, including acquisition, replacement, addition, ex-  
10 pansion, extension, and alteration, as authorized by law,  
11 \$4,641,000, to remain available until September 30, 2017.

12          FAMILY HOUSING OPERATION AND MAINTENANCE,

13                           ARMY

14          For expenses of family housing for the Army for op-  
15 eration and maintenance, including debt payment, leasing,  
16 minor construction, principal and interest charges, and in-  
17 surance premiums, as authorized by law, \$530,051,000.

18          FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

19                           CORPS

20          For expenses of family housing for the Navy and Ma-  
21 rine Corps for construction, including acquisition, replace-  
22 ment, addition, expansion, extension, and alteration, as  
23 authorized by law, \$102,182,000, to remain available until  
24 September 30, 2017.

1       FAMILY HOUSING OPERATION AND MAINTENANCE,  
2                               NAVY AND MARINE CORPS

3       For expenses of family housing for the Navy and Ma-  
4 rine Corps for operation and maintenance, including debt  
5 payment, leasing, minor construction, principal and inter-  
6 est charges, and insurance premiums, as authorized by  
7 law, \$378,230,000.

8       FAMILY HOUSING CONSTRUCTION, AIR FORCE

9       For expenses of family housing for the Air Force for  
10 construction, including acquisition, replacement, addition,  
11 expansion, extension, and alteration, as authorized by law,  
12 \$83,824,000, to remain available until September 30,  
13 2017.

14   FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
15                               FORCE

16       For expenses of family housing for the Air Force for  
17 operation and maintenance, including debt payment, leas-  
18 ing, minor construction, principal and interest charges,  
19 and insurance premiums, as authorized by law,  
20 \$497,829,000.

21   FAMILY HOUSING OPERATION AND MAINTENANCE,  
22                               DEFENSE-WIDE

23       For expenses of family housing for the activities and  
24 agencies of the Department of Defense (other than the  
25 military departments) for operation and maintenance,

1 leasing, and minor construction, as authorized by law,  
2 ~~\$52,238,000.~~

3       DEPARTMENT OF DEFENSE FAMILY HOUSING  
4                   IMPROVEMENT FUND

5       For the Department of Defense Family Housing Im-  
6 provement Fund, ~~\$1,786,000~~, to remain available until ex-  
7 pended, for family housing initiatives undertaken pursu-  
8 ant to section ~~2883~~ of title 10, United States Code, pro-  
9 viding alternative means of acquiring and improving mili-  
10 tary family housing and supporting facilities.

11       CHEMICAL DEMILITARIZATION CONSTRUCTION,  
12                   DEFENSE-WIDE

13       For expenses of construction, not otherwise provided  
14 for, necessary for the destruction of the United States  
15 stockpile of lethal chemical agents and munitions in ac-  
16 cordance with section ~~1412~~ of the Department of Defense  
17 Authorization Act, 1986 (50 U.S.C. 1521), and for the  
18 destruction of other chemical warfare materials that are  
19 not in the chemical weapon stockpile, as currently author-  
20 ized by law, ~~\$151,000,000~~, to remain available until Sep-  
21 tember 30, 2017, which shall be only for the Assembled  
22 Chemical Weapons Alternatives program.

1 ~~DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT~~

2 1990

3       For deposit into the Department of Defense Base  
4   Closure Account 1990, established by section 2906(a)(1)  
5   of the Defense Base Closure and Realignment Act of 1990  
6   (10 U.S.C. 2687 note), \$409,396,000, to remain available  
7   until expended.

## 8 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

9 ~~2005~~

10 For deposit into the Department of Defense Base  
11 Closure Account 2005, established by section 2906A(a)(1)  
12 of the Defense Base Closure and Realignment Act of 1990  
13 (10 U.S.C. 2687 note), \$126,697,000, to remain available  
14 until expended: *Provided*, That the Department of Defense  
15 shall notify the Committees on Appropriations of both  
16 Houses of Congress 14 days prior to obligating an amount  
17 for a construction project that exceeds or reduces the  
18 amount identified for that project in the most recently  
19 submitted budget request for this account by 20 percent  
20 or \$2,000,000, whichever is less: *Provided further*, That  
21 the previous proviso shall not apply to projects costing less  
22 than \$5,000,000, except for those projects not previously  
23 identified in any budget submission for this account and  
24 exceeding the minor construction threshold under section  
25 2805 of title 10, United States Code.



## 1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this  
3 title shall be expended for payments under a cost-plus-a-  
4 fixed-fee contract for construction, where cost estimates  
5 exceed \$25,000, to be performed within the United States,  
6 except Alaska, without the specific approval in writing of  
7 the Secretary of Defense setting forth the reasons there-  
8 for.

9 SEC. 102. Funds made available in this title for con-  
10 struction shall be available for hire of passenger motor ve-  
11 hicles.

12 SEC. 103. Funds made available in this title for con-  
13 struction may be used for advances to the Federal High-  
14 way Administration, Department of Transportation, for  
15 the construction of access roads as authorized by section  
16 210 of title 23, United States Code, when projects author-  
17 ized therein are certified as important to the national de-  
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this  
20 title may be used to begin construction of new bases in  
21 the United States for which specific appropriations have  
22 not been made.

23 SEC. 105. None of the funds made available in this  
24 title shall be used for purchase of land or land easements  
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-  
2 neering Command, except: (1) where there is a determina-  
3 tion of value by a Federal court; (2) purchases negotiated  
4 by the Attorney General or the designee of the Attorney  
5 General; (3) where the estimated value is less than  
6 \$25,000; or (4) as otherwise determined by the Secretary  
7 of Defense to be in the public interest.

8       SEC. 106. None of the funds made available in this  
9 title shall be used to: (1) acquire land; (2) provide for site  
10 preparation; or (3) install utilities for any family housing;  
11 except housing for which funds have been made available  
12 in annual Acts making appropriations for military con-  
13 struction.

14       SEC. 107. None of the funds made available in this  
15 title for minor construction may be used to transfer or  
16 relocate any activity from one base or installation to an-  
17 other, without prior notification to the Committees on Ap-  
18 propriations of both Houses of Congress.

19       SEC. 108. None of the funds made available in this  
20 title may be used for the procurement of steel for any con-  
21 struction project or activity for which American steel pro-  
22 ducers, fabricators, and manufacturers have been denied  
23 the opportunity to compete for such steel procurement.

24       SEC. 109. None of the funds available to the Depart-  
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real  
2 property taxes in any foreign nation.

3       SEC. 110. None of the funds made available in this  
4 title may be used to initiate a new installation overseas  
5 without prior notification to the Committees on Appro-  
6 priations of both Houses of Congress.

7       SEC. 111. None of the funds made available in this  
8 title may be obligated for architect and engineer contracts  
9 estimated by the Government to exceed \$500,000 for  
10 projects to be accomplished in Japan, in any North Atlan-  
11 tic Treaty Organization member country, or in countries  
12 bordering the Arabian Sea, unless such contracts are  
13 awarded to United States firms or United States firms  
14 in joint venture with host nation firms.

15       SEC. 112. None of the funds made available in this  
16 title for military construction in the United States terri-  
17 tories and possessions in the Pacific and on Kwajalein  
18 Atoll, or in countries bordering the Arabian Sea, may be  
19 used to award any contract estimated by the Government  
20 to exceed \$1,000,000 to a foreign contractor: *Provided*,  
21 That this section shall not be applicable to contract  
22 awards for which the lowest responsive and responsible bid  
23 of a United States contractor exceeds the lowest respon-  
24 sive and responsible bid of a foreign contractor by greater  
25 than 20 percent: *Provided further*, That this section shall

1 not apply to contract awards for military construction on  
2 Kwajalein Atoll for which the lowest responsive and re-  
3 sponsible bid is submitted by a Marshallese contractor.

4       SEC. 113. The Secretary of Defense shall inform the  
5 appropriate committees of both Houses of Congress, in-  
6 cluding the Committees on Appropriations, of plans and  
7 scope of any proposed military exercise involving United  
8 States personnel 30 days prior to its occurring, if amounts  
9 expended for construction, either temporary or permanent,  
10 are anticipated to exceed \$100,000.

11       SEC. 114. Funds appropriated to the Department of  
12 Defense for construction in prior years shall be available  
13 for construction authorized for each such military depart-  
14 ment by the authorizations enacted into law during the  
15 current session of Congress.

16       SEC. 115. Not more than 20 percent of the funds  
17 made available in this title which are limited for obligation  
18 during the current fiscal year shall be obligated during  
19 the last 2 months of the fiscal year.

20       SEC. 116. For military construction or family housing  
21 projects that are being completed with funds otherwise ex-  
22 pired or lapsed for obligation, expired or lapsed funds may  
23 be used to pay the cost of associated supervision, inspec-  
24 tion, overhead, engineering and design on those projects  
25 and on subsequent claims, if any.

1       ~~SEC. 117.~~ Notwithstanding any other provision of  
2 law, any funds made available to a military department  
3 or defense agency for the construction of military projects  
4 may be obligated for a military construction project or  
5 contract, or for any portion of such a project or contract,  
6 at any time before the end of the fourth fiscal year after  
7 the fiscal year for which funds for such project were made  
8 available, if the funds obligated for such project: (1) are  
9 obligated from funds available for military construction  
10 projects; and (2) do not exceed the amount appropriated  
11 for such project, plus any amount by which the cost of  
12 such project is increased pursuant to law.

13                     (INCLUDING TRANSFER OF FUNDS)

14       ~~SEC. 118.~~ In addition to any other transfer authority  
15 available to the Department of Defense, proceeds depos-  
16 ited to the Department of Defense Base Closure Account  
17 established by section 207(a)(1) of the Defense Authoriza-  
18 tion Amendments and Base Closure and Realignment Act  
19 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)  
20 of such Act, may be transferred to the account established  
21 by section 2906(a)(1) of the Defense Base Closure and  
22 Realignment Act of 1990 (10 U.S.C. 2687 note), to be  
23 merged with, and to be available for the same purposes  
24 and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

1                   SEC. 119. Subject to 30 days prior notification, or  
2 14 days for a notification provided in an electronic me-  
3 dium pursuant to sections 480 and 2882 of title 10,  
4 United States Code, to the Committees on Appropriations  
5 of both Houses of Congress, such additional amounts as  
6 may be determined by the Secretary of Defense may be  
7 transferred to: (1) the Department of Defense Family  
8 Housing Improvement Fund from amounts appropriated  
9 for construction in "Family Housing" accounts, to be  
10 merged with and to be available for the same purposes  
11 and for the same period of time as amounts appropriated  
12 directly to the Fund; or (2) the Department of Defense  
13 Military Unaccompanied Housing Improvement Fund  
14 from amounts appropriated for construction of military  
15 unaccompanied housing in "Military Construction" ac-  
16 counts, to be merged with and to be available for the same  
17 purposes and for the same period of time as amounts ap-  
18 propriated directly to the Fund: *Provided*, That appropria-  
19 tions made available to the Funds shall be available to  
20 cover the costs, as defined in section 502(5) of the Con-  
21 gressional Budget Act of 1974, of direct loans or loan  
22 guarantees issued by the Department of Defense pursuant  
23 to the provisions of subchapter IV of chapter 169 of title  
24 10, United States Code, pertaining to alternative means  
25

1 of acquiring and improving military family housing, mili-  
2 tary unaccompanied housing, and supporting facilities.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 120. In addition to any other transfer authority  
5 available to the Department of Defense, amounts may be  
6 transferred from the accounts established by sections  
7 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure  
8 and Realignment Act of 1990 (10 U.S.C. 2687 note), to  
9 the fund established by section 1013(d) of the Demonstra-  
10 tion Cities and Metropolitan Development Act of 1966 (42  
11 U.S.C. 3374) to pay for expenses associated with the  
12 Homeowners Assistance Program incurred under 42  
13 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be  
14 merged with and be available for the same purposes and  
15 for the same time period as the fund to which transferred.

16 SEC. 121. Notwithstanding any other provision of  
17 law, funds made available in this title for operation and  
18 maintenance of family housing shall be the exclusive  
19 source of funds for repair and maintenance of all family  
20 housing units, including general or flag officer quarters:  
21 *Provided*, That not more than \$35,000 per unit may be  
22 spent annually for the maintenance and repair of any gen-  
23 eral or flag officer quarters without 30 days prior notifica-  
24 tion, or 14 days for a notification provided in an electronic  
25 medium pursuant to sections 480 and 2883 of title 10,

1 United States Code, to the Committees on Appropriations  
2 of both Houses of Congress, except that an after-the-fact  
3 notification shall be submitted if the limitation is exceeded  
4 solely due to costs associated with environmental remedi-  
5 ation that could not be reasonably anticipated at the time  
6 of the budget submission: *Provided further*, That the  
7 Under Secretary of Defense (Comptroller) is to report an-  
8 nually to the Committees on Appropriations of both  
9 Houses of Congress all operation and maintenance ex-  
10 penditures for each individual general or flag officer quar-  
11 ters for the prior fiscal year.

12 SEC. 122. Amounts contained in the Ford Island Im-  
13 provement Account established by subsection (h) of sec-  
14 tion 2814 of title 10, United States Code, are appro-  
15 priated and shall be available until expended for the pur-  
16 poses specified in subsection (i)(1) of such section or until  
17 transferred pursuant to subsection (i)(3) of such section.

18 SEC. 123. None of the funds made available in this  
19 title, or in any Act making appropriations for military con-  
20 struction which remain available for obligation, may be ob-  
21 ligated or expended to carry out a military construction,  
22 land acquisition, or family housing project at or for a mili-  
23 tary installation approved for closure, or at a military in-  
24 stallation for the purposes of supporting a function that  
25 has been approved for realignment to another installation;



1 in 2005 under the Defense Base Closure and Realignment  
2 Act of 1990 (part A of title XXIX of Public Law 101–  
3 510; 10 U.S.C. 2687 note); unless such a project at a mili-  
4 tary installation approved for realignment will support a  
5 continuing mission or function at that installation or a  
6 new mission or function that is planned for that installa-  
7 tion; or unless the Secretary of Defense certifies that the  
8 cost to the United States of carrying out such project  
9 would be less than the cost to the United States of cancel-  
10 ling such project; or if the project is at an active compo-  
11 nent base that shall be established as an enclave or in the  
12 case of projects having multi-agency use; that another  
13 Government agency has indicated it will assume ownership  
14 of the completed project. The Secretary of Defense may  
15 not transfer funds made available as a result of this limi-  
16 tation from any military construction project, land acquisi-  
17 tion, or family housing project to another account or use  
18 such funds for another purpose or project without the  
19 prior approval of the Committees on Appropriations of  
20 both Houses of Congress. This section shall not apply to  
21 military construction projects, land acquisition, or family  
22 housing projects for which the project is vital to the na-  
23 tional security or the protection of health, safety, or envi-  
24 ronmental quality: *Provided*, That the Secretary of De-  
25 fense shall notify the congressional defense committees

1 within seven days of a decision to carry out such a military  
2 construction project.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 124. During the 5-year period after appropria-  
5 tions available in this Act to the Department of Defense  
6 for military construction and family housing operation and  
7 maintenance and construction have expired for obligation,  
8 upon a determination that such appropriations will not be  
9 necessary for the liquidation of obligations or for making  
10 authorized adjustments to such appropriations for obliga-  
11 tions incurred during the period of availability of such ap-  
12 propriations, unobligated balances of such appropriations  
13 may be transferred into the appropriation "Foreign Cur-  
14 rency Fluctuations, Construction, Defense", to be merged  
15 with and to be available for the same time period and for  
16 the same purposes as the appropriation to which trans-  
17 ferred.

18 SEC. 125. None of the funds made available by this  
19 Act may be used by the Secretary of Defense to take bene-  
20 ficial occupancy of more than 2,500 parking spaces (other  
21 than handicap-reserved spaces) to be provided by the  
22 BRAC 133 project: *Provided*, That this limitation may be  
23 waived in part if: (1) the Secretary of Defense certifies  
24 to Congress that levels of service at existing intersections  
25 in the vicinity of the project have not experienced failing

1 levels of service as defined by the Transportation Research  
2 Board Highway Capacity Manual over a consecutive 90-  
3 day period; (2) the Department of Defense and the Vir-  
4 ginia Department of Transportation agree on the number  
5 of additional parking spaces that may be made available  
6 to employees of the facility subject to continued 90-day  
7 traffic monitoring; and (3) the Secretary of Defense noti-  
8 fies the congressional defense committees in writing at  
9 least 14 days prior to exercising this waiver of the number  
10 of additional parking spaces to be made available.

11       SEC. 126. None of the funds made available by this  
12 Act may be used for any action that relates to or promotes  
13 the expansion of the boundaries or size of the Pinon Can-  
14 yon Maneuver Site, Colorado.

15       SEC. 127. Amounts appropriated or otherwise made  
16 available in an account funded under the headings in this  
17 title may be transferred among projects and activities  
18 within the account in accordance with the reprogramming  
19 guidelines for military construction and family housing  
20 construction contained in Department of Defense Finan-  
21 cial Management Regulation 7000.14-R, Volume 3, Chap-  
22 ter 7, of February 2009, as in effect on the date of enact-  
23 ment of this Act.

24       SEC. 128. (a) Except as provided in subsection (b),  
25 none of the funds made available in this Act may be used

1 by the Secretary of the Army to relocate a unit in the  
2 Army that—

3           (1) performs a testing mission or function that  
4           is not performed by any other unit in the Army and  
5           is specifically stipulated in title 10, United States  
6           Code; and

7           (2) is located at a military installation at which  
8           the total number of civilian employees of the Depart-  
9           ment of the Army and Army contractor personnel  
10          employed exceeds 10 percent of the total number of  
11          members of the regular and reserve components of  
12          the Army assigned to the installation.

13          (b) EXCEPTION.—Subsection (a) shall not apply if  
14          the Secretary of the Army certifies to the congressional  
15          defense committees that in proposing the relocation of the  
16          unit of the Army, the Secretary complied with Army Regu-  
17          lation 5–10 relating to the policy, procedures, and respon-  
18          sibilities for Army stationing actions.

19          SEC. 129. Notwithstanding any other provision of  
20          law, none of the funds made available to the Department  
21          of Defense for military construction in this or any other  
22          Act, may be obligated or expended for planning and design  
23          and construction of projects at Arlington National Ceme-  
24          tery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for “Military Construction, Defense-Wide”, from prior appropriations Acts, \$20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for “Department of Defense Base Closure Account 2005”, from prior appropriations Acts, \$132,513,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land con-

1 veyance, the Secretary of Defense shall transfer  
 2 \$10,500,000 to the Secretary of the Navy under para-  
 3 graph ~~(3)~~ of subsection ~~(d)~~ of such section for use by the  
 4 Secretary of the Navy as provided in paragraph ~~(1)~~ of  
 5 such subsection until expended.

## 6 TITLE II

### 7 DEPARTMENT OF VETERANS AFFAIRS

#### 8 VETERANS BENEFITS ADMINISTRATION

#### 9 COMPENSATION AND PENSIONS

#### 10 (INCLUDING TRANSFER OF FUNDS)

11 For the payment of compensation benefits to or on  
 12 behalf of veterans and a pilot program for disability ex-  
 13 aminations as authorized by section 107 and chapters 11,  
 14 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
 15 pension benefits to or on behalf of veterans as authorized  
 16 by chapters 15, 51, 53, 55, and 61 of title 38, United  
 17 States Code; and burial benefits, the Reinstated Entitle-  
 18 ment Program for Survivors, emergency and other offi-  
 19 cers' retirement pay, adjusted-service credits and certifi-  
 20 cates, payment of premiums due on commercial life insur-  
 21 ance policies guaranteed under the provisions of title IV  
 22 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
 23 541 et seq.) and for other benefits as authorized by sec-  
 24 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
 25 53, 55, and 61 of title 38, United States Code;

1 ~~\$60,599,855,000, to remain available until expended: *Pro-*~~  
 2 ~~*vided*, That not to exceed \$9,204,000 of the amount ap-~~  
 3 ~~propriated under this heading shall be reimbursed to~~  
 4 ~~“General operating expenses, Veterans Benefits Adminis-~~  
 5 ~~tration”, “Medical support and compliance”, and “Infor-~~  
 6 ~~mation technology systems” for necessary expenses in im-~~  
 7 ~~plementing the provisions of chapters 51, 53, and 55 of~~  
 8 ~~title 38, United States Code, the funding source for which~~  
 9 ~~is specifically provided as the “Compensation and pen-~~  
 10 ~~sions” appropriation: *Provided further*, That such sums as~~  
 11 ~~may be earned on an actual qualifying patient basis, shall~~  
 12 ~~be reimbursed to “Medical care collections fund” to aug-~~  
 13 ~~ment the funding of individual medical facilities for nurs-~~  
 14 ~~ing home care provided to pensioners as authorized.~~

#### 15 READJUSTMENT BENEFITS

16 For the payment of readjustment and rehabilitation  
 17 benefits to or on behalf of veterans as authorized by chap-  
 18 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
 19 61 of title 38, United States Code, and for the payment  
 20 of benefits under the Veterans Retraining Assistance Pro-  
 21 gram, ~~\$12,023,458,000, to remain available until ex-~~  
 22 ~~pended: *Provided*, That expenses for rehabilitation pro-~~  
 23 ~~gram services and assistance which the Secretary is au-~~  
 24 ~~thorized to provide under subsection (a) of section 3104~~  
 25 ~~of title 38, United States Code, other than under para-~~

1 graphs (1), (2), (5), and (11) of that subsection, shall be  
 2 charged to this account.

3 VETERANS INSURANCE AND INDEMNITIES

4 For military and naval insurance, national service life  
 5 insurance, servicemen's indemnities, service-disabled vet-  
 6 erans insurance, and veterans mortgage life insurance as  
 7 authorized by chapters 19 and 21, title 38, United States  
 8 Code, \$104,600,000, to remain available until expended.

9 VETERANS HOUSING BENEFIT PROGRAM FUND

10 For the cost of direct and guaranteed loans, such  
 11 sums as may be necessary to carry out the program, as  
 12 authorized by subchapters I through III of chapter 37 of  
 13 title 38, United States Code: *Provided*, That such costs,  
 14 including the cost of modifying such loans, shall be as de-  
 15 fined in section 502 of the Congressional Budget Act of  
 16 1974: *Provided further*, That during fiscal year 2013,  
 17 within the resources available, not to exceed \$500,000 in  
 18 gross obligations for direct loans are authorized for spe-  
 19 cially adapted housing loans.

20 In addition, for administrative expenses to carry out  
 21 the direct and guaranteed loan programs, \$157,814,000.

22 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

23 For the cost of direct loans, \$19,000, as authorized  
 24 by chapter 31 of title 38, United States Code: *Provided*,  
 25 That such costs, including the cost of modifying such



1 loans, shall be as defined in section 502 of the Congres-  
 2 sional Budget Act of 1974: *Provided further*, That funds  
 3 made available under this heading are available to sub-  
 4 sidize gross obligations for the principal amount of direct  
 5 loans not to exceed \$2,729,000.

6 In addition, for administrative expenses necessary to  
 7 carry out the direct loan program, \$346,000, which may  
 8 be paid to the appropriation for “General operating ex-  
 9 penses, Veterans Benefits Administration”.

10 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
 11 ACCOUNT

12 For administrative expenses to carry out the direct  
 13 loan program authorized by subchapter V of chapter 37  
 14 of title 38, United States Code, \$1,089,000.

15 VETERANS HEALTH ADMINISTRATION  
 16 MEDICAL SERVICES

17 For necessary expenses for furnishing, as authorized  
 18 by law, inpatient and outpatient care and treatment to  
 19 beneficiaries of the Department of Veterans Affairs and  
 20 veterans described in section 1705(a) of title 38, United  
 21 States Code, including care and treatment in facilities not  
 22 under the jurisdiction of the Department, and including  
 23 medical supplies and equipment, bioengineering services,  
 24 food services, and salaries and expenses of healthcare em-  
 25 ployees hired under title 38, United States Code, aid to

1 State homes as authorized by section 1741 of title 38,  
2 United States Code; assistance and support services for  
3 caregivers as authorized by section 1720G of title 38,  
4 United States Code; loan repayments authorized by sec-  
5 tion 604 of the Caregivers and Veterans Omnibus Health  
6 Services Act of 2010 (Public Law 111–163, 124 Stat.  
7 1174; 38 U.S.C. 7681 note); and hospital care and med-  
8 ical services authorized by section 1787 of title 38, United  
9 States Code; \$155,000,000, which shall be in addition to  
10 funds previously appropriated under this heading that be-  
11 come available on October 1, 2012; and in addition,  
12 \$43,557,000,000, plus reimbursements, shall become  
13 available on October 1, 2013, and shall remain available  
14 until September 30, 2014: *Provided*, That notwithstanding  
15 any other provision of law, the Secretary of Veterans Af-  
16 fairs shall establish a priority for the provision of medical  
17 treatment for veterans who have service-connected disabil-  
18 ities, lower income, or have special needs: *Provided further*,  
19 That notwithstanding any other provision of law, the Sec-  
20 retary of Veterans Affairs shall give priority funding for  
21 the provision of basic medical benefits to veterans in en-  
22 rollment priority groups 1 through 6: *Provided further*,  
23 That notwithstanding any other provision of law, the Sec-  
24 retary of Veterans Affairs may authorize the dispensing  
25 of prescription drugs from Veterans Health Administra-

1 tion facilities to enrolled veterans with privately written  
 2 prescriptions based on requirements established by the  
 3 Secretary: *Provided further*, That the implementation of  
 4 the program described in the previous proviso shall incur  
 5 no additional cost to the Department of Veterans Affairs.

6 MEDICAL SUPPORT AND COMPLIANCE

7 For necessary expenses in the administration of the  
 8 medical, hospital, nursing home, domiciliary, construction,  
 9 supply, and research activities, as authorized by law; ad-  
 10 ministrative expenses in support of capital policy activi-  
 11 ties; and administrative and legal expenses of the Depart-  
 12 ment for collecting and recovering amounts owed the De-  
 13 partment as authorized under chapter 17 of title 38,  
 14 United States Code, and the Federal Medical Care Recov-  
 15 ery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus  
 16 reimbursements, shall become available on October 1,  
 17 2013, and shall remain available until September 30,  
 18 2014.

19 MEDICAL FACILITIES

20 For necessary expenses for the maintenance and op-  
 21 eration of hospitals, nursing homes, domiciliary facilities,  
 22 and other necessary facilities of the Veterans Health Ad-  
 23 ministration; for administrative expenses in support of  
 24 planning, design, project management, real property ac-  
 25 quisition and disposition, construction, and renovation of

1 any facility under the jurisdiction or for the use of the  
2 Department; for oversight, engineering, and architectural  
3 activities not charged to project costs; for repairing, alter-  
4 ing, improving, or providing facilities in the several hos-  
5 pitals and homes under the jurisdiction of the Depart-  
6 ment, not otherwise provided for, either by contract or by  
7 the hire of temporary employees and purchase of mate-  
8 rials; for leases of facilities; and for laundry services;  
9 \$4,872,000,000, plus reimbursements, shall become avail-  
10 able on October 1, 2013, and shall remain available until  
11 September 30, 2014.

12 MEDICAL AND PROSTHETIC RESEARCH

13 For necessary expenses in carrying out programs of  
14 medical and prosthetic research and development as au-  
15 thorized by chapter 73 of title 38, United States Code;  
16 \$582,674,000, plus reimbursements, shall remain avail-  
17 able until September 30, 2014.

18 NATIONAL CEMETERY ADMINISTRATION

19 For necessary expenses of the National Cemetery Ad-  
20 ministration for operations and maintenance, not other-  
21 wise provided for, including uniforms or allowances there-  
22 for; cemeterial expenses as authorized by law; purchase  
23 of one passenger motor vehicle for use in cemeterial oper-  
24 ations; hire of passenger motor vehicles; and repair, alter-  
25 ation or improvement of facilities under the jurisdiction

1 of the National Cemetery Administration, \$258,284,000;  
2 of which not to exceed \$25,828,000 shall remain available  
3 until September 30, 2014: *Provided*, That none of the  
4 funds under this heading may be used to expand the  
5 Urban Initiative project beyond those sites outlined in the  
6 fiscal year 2012 or previous budget submissions or any  
7 other rural strategy, other than the Rural Initiative in-  
8 cluded in the fiscal year 2013 budget submission, until  
9 the Secretary of Veterans Affairs submits to the Commit-  
10 tees on Appropriations of both Houses of Congress a strat-  
11 egy to serve the burial needs of veterans residing in rural  
12 and highly rural areas and that strategy has been ap-  
13 proved by the Committees: *Provided further*, That the  
14 strategy shall include: (1) A review of previous policies of  
15 the National Cemetery Administration regarding estab-  
16 lishment of new national cemeteries, including whether the  
17 guidelines of the Administration for establishing national  
18 cemetery annexes remain valid; (2) Data identifying the  
19 number of and geographic areas where rural veterans are  
20 not currently served by national or existing State ceme-  
21 teries and identification of areas with the largest unserved  
22 populations, broken down by veterans residing in urban  
23 versus rural and highly rural; (3) Identification of the  
24 number of veterans who reside within the 75-mile radius  
25 of a cemetery that is limited to cremations or of a State

1 cemetery which has residency restrictions, as well as an  
2 examination of how many communities that fall under a  
3 75-mile radius have an actual driving distance greater  
4 than 75 miles; (4) Reassessment of the gaps in service,  
5 factoring in the above conditions that limit rural and high-  
6 ly rural veteran burial options; (5) An assessment of the  
7 adequacy of the policy of the Administration on estab-  
8 lishing new cemeteries proposed in the fiscal year 2013  
9 budget request; (6) Recommendations for an appropriate  
10 policy on new national cemeteries to serve rural or highly  
11 rural areas; (7) Development of a national map showing  
12 the locations and number of all unserved veterans; and  
13 (8) A time line for the implementation of such strategy  
14 and cost estimates for using the strategy to establish new  
15 burial sites in at least five rural or highly rural locations:  
16 *Provided further*, That the Comptroller General of the  
17 United States shall review the strategy to ensure that it  
18 includes the elements listed above: *Provided further*, That  
19 this strategy shall be submitted no later than 180 days  
20 after the date of enactment of this Act: *Provided further*,  
21 That the Secretary of Veterans Affairs shall issue guide-  
22 lines on committal services held at cemeteries under the  
23 jurisdiction of the National Cemetery Administration to  
24 ensure that: (1) veterans' families may arrange to hold  
25 committal services with any religious or secular content

1 they desire; (2) the choice by a family of an honor guard  
 2 and the content and presentation of military honors may  
 3 not be interfered with; and (3) attendance at committal  
 4 services by outside organizations dedicated to the support  
 5 of veterans will not be constrained except at the request  
 6 of family members: *Provided further*, That the Department  
 7 shall not edit, control, or exercise prior restraints on the  
 8 content of religious speech and expression by speakers at  
 9 events at veterans national cemeteries except as provided  
 10 in section 2413 of title 38, United States Code: *Provided*  
 11 *further*, That actions permitted by the foregoing provisos  
 12 shall be subject to compliance with Department security,  
 13 safety, and law enforcement regulations.

#### 14 DEPARTMENTAL ADMINISTRATION

#### 15 GENERAL ADMINISTRATION

#### 16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary operating expenses of the Department  
 18 of Veterans Affairs, not otherwise provided for, including  
 19 administrative expenses in support of Department-Wide  
 20 capital planning, management and policy activities, uni-  
 21 forms, or allowances therefor, not to exceed \$25,000 for  
 22 official reception and representation expenses; hire of pas-  
 23 senger motor vehicles; and reimbursement of the General  
 24 Services Administration for security guard services;  
 25 \$424,737,000, of which not to exceed \$20,837,000 shall

1 remain available until September 30, 2014: *Provided*,  
 2 That the Board of Veterans Appeals shall be funded at  
 3 not less than \$86,006,000: *Provided further*, That of the  
 4 funds made available under this heading, such sums as  
 5 may be necessary shall be available to the Secretary of  
 6 Veterans Affairs to comply with the Department's energy  
 7 management requirements under section 543(f)(7) of the  
 8 National Energy Conservation Policy Act (42 U.S.C.  
 9 8253(f)(7)): *Provided further*, That funds provided under  
 10 this heading may be transferred to "General operating ex-  
 11 penses, Veterans Benefits Administration".

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
 13 ADMINISTRATION

14 For necessary operating expenses of the Veterans  
 15 Benefits Administration, not otherwise provided for, in-  
 16 cluding hire of passenger motor vehicles, reimbursement  
 17 of the General Services Administration for security guard  
 18 services, and reimbursement of the Department of De-  
 19 fense for the cost of overseas employee mail,  
 20 \$2,164,074,000: *Provided*, That expenses for services and  
 21 assistance authorized under paragraphs (1), (2), (5), and  
 22 (11) of section 3104(a) of title 38, United States Code,  
 23 that the Secretary of Veterans Affairs determines are nec-  
 24 essary to enable entitled veterans: (1) to the maximum ex-  
 25 tent feasible, to become employable and to obtain and



1 maintain suitable employment; or (2) to achieve maximum  
 2 independence in daily living, shall be charged to this ac-  
 3 count: *Provided further*, That of the funds made available  
 4 under this heading, not to exceed \$113,000,000 shall re-  
 5 main available until September 30, 2014.

6 INFORMATION TECHNOLOGY SYSTEMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for information technology  
 9 systems and telecommunications support, including devel-  
 10 opmental information systems and operational information  
 11 systems; for pay and associated costs; and for the capital  
 12 asset acquisition of information technology systems, in-  
 13 cluding management and related contractual costs of said  
 14 acquisitions, including contractual costs associated with  
 15 operations authorized by section 3109 of title 5, United  
 16 States Code, \$3,327,444,000, plus reimbursements: *Pro-*  
 17 *vided*, That \$1,021,000,000 shall be for pay and associ-  
 18 ated costs, of which not to exceed \$30,630,000 shall re-  
 19 main available until September 30, 2014: *Provided further*,  
 20 That \$1,812,045,000 shall be for operations and mainte-  
 21 nance, of which not to exceed \$126,000,000 shall remain  
 22 available until September 30, 2014: *Provided further*, That  
 23 \$494,399,000 shall be for information technology systems  
 24 development, modernization, and enhancement, and shall  
 25 remain available until September 30, 2014: *Provided fur-*

1 *ther*, That amounts made available for information tech-  
2 nology systems development, modernization, and enhance-  
3 ment may not be obligated or expended until the Secretary  
4 of Veterans Affairs or the Chief Information Officer of  
5 the Department of Veterans Affairs submits to the Com-  
6 mittees on Appropriations of both Houses of Congress a  
7 certification of the amounts, in parts or in full, to be obli-  
8 gated and expended for each development project: *Pro-*  
9 *vided further*, That amounts made available for salaries  
10 and expenses, operations and maintenance, and informa-  
11 tion technology systems development, modernization, and  
12 enhancement may be transferred among the three sub-ac-  
13 counts after the Secretary of Veterans Affairs requests  
14 from the Committees on Appropriations of both Houses  
15 of Congress the authority to make the transfer and an  
16 approval is issued: *Provided further*, That amounts made  
17 available for the “Information technology systems” ac-  
18 count for development, modernization, and enhancement  
19 may be transferred between projects or to newly defined  
20 projects: *Provided further*, That no project may be in-  
21 creased or decreased by more than \$1,000,000 of cost  
22 prior to submitting a request to the Committees on Appro-  
23 priations of both Houses of Congress to make the transfer  
24 and an approval is issued, or absent a response, a period  
25 of 30 days has elapsed: *Provided further*, That of the funds

1 provided for information technology systems development,  
2 modernization, and enhancement for the development of  
3 a joint Department of Defense—Department of Veterans  
4 Affairs (DOD—VA) integrated electronic health record  
5 (iEHR), not more than 25 percent may be obligated until  
6 the DOD—VA Interagency Program Office submits to the  
7 Committees on Appropriations of both Houses of Con-  
8 gress, and such Committees approve, a plan for expendi-  
9 ture that: (1) defines the budget and cost baseline for de-  
10 velopment of the integrated Electronic Health Record; (2)  
11 identifies the deployment timeline for the system for both  
12 Agencies; (3) breaks out annual and total spending for  
13 each Department; (4) relays detailed cost-sharing business  
14 rules; (5) establishes data standardization schedules be-  
15 tween the Departments; (6) has been submitted to the  
16 Government Accountability Office for review; and (7) com-  
17 plies with the acquisition rules, requirements, guidelines,  
18 and systems acquisition management practices of the Fed-  
19 eral Government: *Provided further*, That the funds made  
20 available under this heading for information technology  
21 systems development, modernization, and enhancement,  
22 shall be for the projects, and in the amounts, specified  
23 under this heading in the explanatory statement described  
24 in section 4 (in the matter preceding division A of this  
25 consolidated Act).

1                   OFFICE OF INSPECTOR GENERAL

2           For necessary expenses of the Office of Inspector  
3 General, to include information technology, in carrying out  
4 the provisions of the Inspector General Act of 1978 (5  
5 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall re-  
6 main available until September 30, 2014.

7                   CONSTRUCTION, MAJOR PROJECTS

8           For constructing, altering, extending, and improving  
9 any of the facilities, including parking projects, under the  
10 jurisdiction or for the use of the Department of Veterans  
11 Affairs, or for any of the purposes set forth in sections  
12 316, 2404, 2406, and chapter 81 of title 38, United States  
13 Code, not otherwise provided for, including planning, ar-  
14 chitectural and engineering services, construction manage-  
15 ment services, maintenance or guarantee period services  
16 costs associated with equipment guarantees provided  
17 under the project, services of claims analysts, offsite utility  
18 and storm drainage system construction costs, and site ac-  
19 quisition, where the estimated cost of a project is more  
20 than the amount set forth in section 8104(a)(3)(A) of title  
21 38, United States Code, or where funds for a project were  
22 made available in a previous major project appropriation,  
23 \$532,470,000, of which \$502,470,000 shall remain avail-  
24 able until September 30, 2017, and of which \$30,000,000  
25 shall remain available until expended: *Provided*, That

1 \$5,000,000 shall be to make reimbursements as provided  
2 in section 7108 of title 41, United States Code, for claims  
3 paid for contract disputes: *Provided further*, That except  
4 for advance planning activities, including needs assess-  
5 ments which may or may not lead to capital investments,  
6 and other capital asset management related activities, in-  
7 cluding portfolio development and management activities,  
8 and investment strategy studies funded through the ad-  
9 vance planning fund and the planning and design activities  
10 funded through the design fund, including needs assess-  
11 ments which may or may not lead to capital investments,  
12 and salaries and associated costs of the resident engineers  
13 who oversee those capital investments funded through this  
14 account, and funds provided for the purchase of land for  
15 the National Cemetery Administration through the land  
16 acquisition line item, none of the funds made available  
17 under this heading shall be used for any project which has  
18 not been approved by the Congress in the budgetary pro-  
19 cess: *Provided further*, That funds made available under  
20 this heading for fiscal year 2013, for each approved  
21 project shall be obligated: (1) by the awarding of a con-  
22 struction documents contract by September 30, 2013; and  
23 (2) by the awarding of a construction contract by Sep-  
24 tember 30, 2014: *Provided further*, That the Secretary of  
25 Veterans Affairs shall promptly submit to the Committees

1 on Appropriations of both Houses of Congress a written  
 2 report on any approved major construction project for  
 3 which obligations are not incurred within the time limita-  
 4 tions established above.

5 CONSTRUCTION, MINOR PROJECTS

6 For constructing, altering, extending, and improving  
 7 any of the facilities, including parking projects, under the  
 8 jurisdiction or for the use of the Department of Veterans  
 9 Affairs, including planning and assessments of needs  
 10 which may lead to capital investments, architectural and  
 11 engineering services, maintenance or guarantee period  
 12 services costs associated with equipment guarantees pro-  
 13 vided under the project, services of claims analysts, offsite  
 14 utility and storm drainage system construction costs, and  
 15 site acquisition, or for any of the purposes set forth in  
 16 sections 316, 2404, 2406, and chapter 81 of title 38,  
 17 United States Code, not otherwise provided for, where the  
 18 estimated cost of a project is equal to or less than the  
 19 amount set forth in section 8104(a)(3)(A) of title 38,  
 20 United States Code, \$607,530,000, to remain available  
 21 until September 30, 2017, along with unobligated balances  
 22 of previous “Construction, minor projects” appropriations  
 23 which are hereby made available for any project where the  
 24 estimated cost is equal to or less than the amount set forth  
 25 in such section: *Provided*, That funds made available

1 under this heading shall be for: (1) repairs to any of the  
 2 nonmedical facilities under the jurisdiction or for the use  
 3 of the Department which are necessary because of loss or  
 4 damage caused by any natural disaster or catastrophe;  
 5 and (2) temporary measures necessary to prevent or to  
 6 minimize further loss by such causes.

7 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
 8 FACILITIES

9 For grants to assist States to acquire or construct  
 10 State nursing home and domiciliary facilities and to re-  
 11 model, modify, or alter existing hospital, nursing home,  
 12 and domiciliary facilities in State homes, for furnishing  
 13 care to veterans as authorized by sections 8131 through  
 14 8137 of title 38, United States Code, \$85,000,000, to re-  
 15 main available until expended.

16 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

17 For grants to assist States and tribal governments  
 18 in establishing, expanding, or improving veterans ceme-  
 19 teries as authorized by section 2408 of title 38, United  
 20 States Code, \$46,000,000, to remain available until ex-  
 21 pended.

22 ADMINISTRATIVE PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 201. Any appropriation for fiscal year 2013 for  
 25 “Compensation and pensions”, “Readjustment benefits”,

1 and “Veterans insurance and indemnities” may be trans-  
2 ferred as necessary to any other of the mentioned appro-  
3 priations: *Provided*, That before a transfer may take place,  
4 the Secretary of Veterans Affairs shall request from the  
5 Committees on Appropriations of both Houses of Congress  
6 the authority to make the transfer and such Committees  
7 issue an approval, or absent a response, a period of 30  
8 days has elapsed.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 202. Amounts made available for the Depart-  
11 ment of Veterans Affairs for fiscal year 2013, in this Act  
12 or any other Act, under the “Medical services”, “Medical  
13 support and compliance”, and “Medical facilities” ac-  
14 counts may be transferred among the accounts: *Provided*,  
15 That any transfers between the “Medical services” and  
16 “Medical support and compliance” accounts of 1 percent  
17 or less of the total amount appropriated to the account  
18 in this or any other Act may take place subject to notifica-  
19 tion from the Secretary of Veterans Affairs to the Com-  
20 mittees on Appropriations of both Houses of Congress of  
21 the amount and purpose of the transfer: *Provided further*,  
22 That any transfers between the “Medical services” and  
23 “Medical support and compliance” accounts in excess of  
24 1 percent, or exceeding the cumulative 1 percent for the  
25 fiscal year, may take place only after the Secretary re-



1   quests from the Committees on Appropriations of both  
2   Houses of Congress the authority to make the transfer  
3   and an approval is issued: *Provided further*, That any  
4   transfers to or from the “Medical facilities” account may  
5   take place only after the Secretary requests from the Com-  
6   mittees on Appropriations of both Houses of Congress the  
7   authority to make the transfer and an approval is issued.

8       SEC. 203. Appropriations available in this title for  
9   salaries and expenses shall be available for services au-  
10  thorized by section 3109 of title 5, United States Code;  
11  hire of passenger motor vehicles; lease of a facility or land  
12  or both; and uniforms or allowances therefore, as author-  
13  ized by sections 5901 through 5902 of title 5, United  
14  States Code.

15       SEC. 204. No appropriations in this title (except the  
16  appropriations for “Construction, major projects”, and  
17  “Construction, minor projects”) shall be available for the  
18  purchase of any site for or toward the construction of any  
19  new hospital or home.

20       SEC. 205. No appropriations in this title shall be  
21  available for hospitalization or examination of any persons  
22  (except beneficiaries entitled to such hospitalization or ex-  
23  amination under the laws providing such benefits to vet-  
24  erans, and persons receiving such treatment under sec-  
25  tions 7901 through 7904 of title 5, United States Code,

1 or the Robert T. Stafford Disaster Relief and Emergency  
 2 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-  
 3 bursement of the cost of such hospitalization or examina-  
 4 tion is made to the “Medical services” account at such  
 5 rates as may be fixed by the Secretary of Veterans Affairs.

6 SEC. 206. Appropriations available in this title for  
 7 “Compensation and pensions”, “Readjustment benefits”,  
 8 and “Veterans insurance and indemnities” shall be avail-  
 9 able for payment of prior year accrued obligations re-  
 10 quired to be recorded by law against the corresponding  
 11 prior year accounts within the last quarter of fiscal year  
 12 2012.

13 SEC. 207. Appropriations available in this title shall  
 14 be available to pay prior year obligations of corresponding  
 15 prior year appropriations accounts resulting from sections  
 16 3328(a), 3334, and 3712(a) of title 31, United States  
 17 Code, except that if such obligations are from trust fund  
 18 accounts they shall be payable only from “Compensation  
 19 and pensions”.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 208. Notwithstanding any other provision of  
 22 law, during fiscal year 2013, the Secretary of Veterans  
 23 Affairs shall, from the National Service Life Insurance  
 24 Fund under section 1920 of title 38, United States Code,  
 25 the Veterans’ Special Life Insurance Fund under section

1 1923 of title 38, United States Code, and the United  
2 States Government Life Insurance Fund under section  
3 1955 of title 38, United States Code, reimburse the “Gen-  
4 eral operating expenses, Veterans Benefits Administra-  
5 tion” and “Information technology systems” accounts for  
6 the cost of administration of the insurance programs fi-  
7 nanced through those accounts: *Provided*, That reimburse-  
8 ment shall be made only from the surplus earnings accu-  
9 mulated in such an insurance program during fiscal year  
10 2013 that are available for dividends in that program after  
11 claims have been paid and actuarially determined reserves  
12 have been set aside: *Provided further*, That if the cost of  
13 administration of such an insurance program exceeds the  
14 amount of surplus earnings accumulated in that program,  
15 reimbursement shall be made only to the extent of such  
16 surplus earnings: *Provided further*, That the Secretary  
17 shall determine the cost of administration for fiscal year  
18 2013 which is properly allocable to the provision of each  
19 such insurance program and to the provision of any total  
20 disability income insurance included in that insurance pro-  
21 gram.

22 SEC. 209. Amounts deducted from enhanced-use  
23 lease proceeds to reimburse an account for expenses in-  
24 curred by that account during a prior fiscal year for pro-

1 viding enhanced-use lease services, may be obligated dur-  
 2 ing the fiscal year in which the proceeds are received.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 210. Funds available in this title or funds for  
 5 salaries and other administrative expenses shall also be  
 6 available to reimburse the Office of Resolution Manage-  
 7 ment of the Department of Veterans Affairs and the Of-  
 8 fice of Employment Discrimination Complaint Adjudica-  
 9 tion under section 319 of title 38, United States Code,  
 10 for all services provided at rates which will recover actual  
 11 costs but not to exceed \$42,904,000 for the Office of Reso-  
 12 lution Management and \$3,360,000 for the Office of Em-  
 13 ployment and Discrimination Complaint Adjudication:  
 14 *Provided*, That payments may be made in advance for  
 15 services to be furnished based on estimated costs: *Provided*  
 16 *further*, That amounts received shall be credited to the  
 17 “General administration” and “Information technology  
 18 systems” accounts for use by the office that provided the  
 19 service.

20 SEC. 211. No appropriations in this title shall be  
 21 available to enter into any new lease of real property if  
 22 the estimated annual rental cost is more than \$1,000,000,  
 23 unless the Secretary submits a report which the Commit-  
 24 tees on Appropriations of both Houses of Congress ap-

1 prove within 30 days following the date on which the re-  
 2 port is received.

3       ~~SEC. 212.~~ No funds of the Department of Veterans  
 4 Affairs shall be available for hospital care, nursing home  
 5 care, or medical services provided to any person under  
 6 chapter 17 of title 38, United States Code, for a non-serv-  
 7 ice-connected disability described in section 1729(a)(2) of  
 8 such title, unless that person has disclosed to the Sec-  
 9 retary of Veterans Affairs, in such form as the Secretary  
 10 may require, current, accurate third-party reimbursement  
 11 information for purposes of section 1729 of such title: *Pro-*  
 12 *vided,* That the Secretary may recover, in the same man-  
 13 ner as any other debt due the United States, the reason-  
 14 able charges for such care or services from any person who  
 15 does not make such disclosure as required: *Provided fur-*  
 16 *ther,* That any amounts so recovered for care or services  
 17 provided in a prior fiscal year may be obligated by the  
 18 Secretary during the fiscal year in which amounts are re-  
 19 ceived.

20                               (INCLUDING TRANSFER OF FUNDS)

21       ~~SEC. 213.~~ Notwithstanding any other provision of  
 22 law, proceeds or revenues derived from enhanced-use leas-  
 23 ing activities (including disposal) may be deposited into  
 24 the “Construction, major projects” and “Construction,  
 25 minor projects” accounts and be used for construction (in-

cluding site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, major projects” and “Construction, minor projects”.

SEC. 214. Amounts made available under “Medical services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to “Medical services”, to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under

1 the Indian Self Determination and Educational Assistance  
 2 Act, to provide healthcare, including behavioral health and  
 3 dental care. The Secretary shall require participating vet-  
 4 erans and facilities to comply with all appropriate rules  
 5 and regulations, as established by the Secretary. The term  
 6 “rural Alaska” shall mean those lands sited within the ex-  
 7 ternal boundaries of the Alaska Native regions specified  
 8 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native  
 9 Claims Settlement Act, as amended (43 U.S.C. 1606), and  
 10 those lands within the Alaska Native regions specified in  
 11 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims  
 12 Settlement Act, as amended (43 U.S.C. 1606), which are  
 13 not within the boundaries of the municipality of Anchor-  
 14 age, the Fairbanks North Star Borough, the Kenai Penin-  
 15 sula Borough or the Matanuska Susitna Borough.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 217. Such sums as may be deposited to the De-  
 18 partment of Veterans Affairs Capital Asset Fund pursu-  
 19 ant to section 8118 of title 38, United States Code, may  
 20 be transferred to the “Construction, major projects” and  
 21 “Construction, minor projects” accounts, to remain avail-  
 22 able until expended for the purposes of these accounts.

23 SEC. 218. None of the funds made available in this  
 24 title may be used to implement any policy prohibiting the  
 25 Directors of the Veterans Integrated Services Networks

1 from conducting outreach or marketing to enroll new vet-  
2 erans within their respective Networks.

3       ~~SEC. 219.~~ The Secretary of Veterans Affairs shall  
4 submit to the Committees on Appropriations of both  
5 Houses of Congress a quarterly report on the financial  
6 status of the Veterans Health Administration.

7                   (INCLUDING TRANSFER OF FUNDS)

8       ~~SEC. 220.~~ Amounts made available under the “Med-  
9 ical services”, “Medical support and compliance”, “Med-  
10 ical facilities”, “General operating expenses, Veterans  
11 Benefits Administration”, “General administration”, and  
12 “National Cemetery Administration” accounts for fiscal  
13 year 2013, may be transferred to or from the “Informa-  
14 tion technology systems” account: *Provided*, That before  
15 a transfer may take place, the Secretary of Veterans Af-  
16 fairs shall request from the Committees on Appropriations  
17 of both Houses of Congress the authority to make the  
18 transfer and an approval is issued.

19       ~~SEC. 221.~~ None of the funds appropriated or other-  
20 wise made available by this Act or any other Act for the  
21 Department of Veterans Affairs may be used in a manner  
22 that is inconsistent with: (1) section 842 of the Transpor-  
23 tation, Treasury, Housing and Urban Development, the  
24 Judiciary, the District of Columbia, and Independent  
25 Agencies Appropriations Act, 2006 (Public Law 109–115;



1 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
 2 United States Code.

3       ~~SEC. 222.~~ Of the amounts made available to the De-  
 4 partment of Veterans Affairs for fiscal year 2013, in this  
 5 Act or any other Act, under the “Medical facilities” ac-  
 6 count for nonrecurring maintenance, not more than 20  
 7 percent of the funds made available shall be obligated dur-  
 8 ing the last 2 months of that fiscal year: *Provided*, That  
 9 the Secretary may waive this requirement after providing  
 10 written notice to the Committees on Appropriations of  
 11 both Houses of Congress.

12                   (INCLUDING TRANSFER OF FUNDS)

13       ~~SEC. 223.~~ Of the amounts appropriated to the De-  
 14 partment of Veterans Affairs for fiscal year 2013 for  
 15 “Medical services”, “Medical support and compliance”,  
 16 “Medical facilities”, “Construction, minor projects”, and  
 17 “Information technology systems”, up to \$247,356,000,  
 18 plus reimbursements, may be transferred to the Joint De-  
 19 partment of Defense-Department of Veterans Affairs  
 20 Medical Facility Demonstration Fund, established by sec-  
 21 tion 1704 of the National Defense Authorization Act for  
 22 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)  
 23 and may be used for operation of the facilities designated  
 24 as combined Federal medical facilities as described by sec-  
 25 tion 706 of the Duncan Hunter National Defense Author-

1 ization Act for Fiscal Year 2009 (Public Law 110–417;  
 2 122 Stat. 4500): *Provided*, That additional funds may be  
 3 transferred from accounts designated in this section to the  
 4 Joint Department of Defense-Department of Veterans Af-  
 5 fairs Medical Facility Demonstration Fund upon written  
 6 notification by the Secretary of Veterans Affairs to the  
 7 Committees on Appropriations of both Houses of Con-  
 8 gress.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 224. Such sums as may be deposited to the  
 11 Medical Care Collections Fund pursuant to section 1729A  
 12 of title 38, United States Code, for healthcare provided  
 13 at facilities designated as combined Federal medical facili-  
 14 ties as described by section 706 of the Duncan Hunter  
 15 National Defense Authorization Act for Fiscal Year 2009  
 16 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
 17 able: (1) for transfer to the Joint Department of Defense-  
 18 Department of Veterans Affairs Medical Facility Dem-  
 19 onstration Fund, established by section 1704 of the Na-  
 20 tional Defense Authorization Act for Fiscal Year 2010  
 21 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-  
 22 ations of the facilities designated as combined Federal  
 23 medical facilities as described by section 706 of the Dun-  
 24 can Hunter National Defense Authorization Act for Fiscal  
 25 Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for “Medical services”, “Medical support and compliance”, and “Medical facilities”, a minimum of \$15,000,000, shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) “Department of Veterans Affairs, Medical services”, \$1,500,000,000.

(2) “Department of Veterans Affairs, Medical support and compliance”, \$200,000,000.

(3) “Department of Veterans Affairs, Medical facilities”, \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

1       (1) “Department of Veterans Affairs, Medical serv-  
2       ices”, \$1,500,000,000.

3       (2) “Department of Veterans Affairs, Medical sup-  
4       port and compliance”, \$200,000,000.

5       (3) “Department of Veterans Affairs, Medical facili-  
6       ties”, \$250,000,000.

7       SEC. 227. The Secretary of the Department of Vet-  
8       erans Affairs shall notify the Committees on Appropria-  
9       tions of both Houses of Congress of all bid savings in  
10      major construction projects that total at least \$5,000,000,  
11      or 5 percent of the programmed amount of the project,  
12      whichever is less: *Provided*, That such notification shall  
13      occur within 14 days of a contract identifying the pro-  
14      grammed amount: *Provided further*, That the Secretary  
15      shall notify the Committees on Appropriations of both  
16      Houses of Congress 14 days prior to the obligation of such  
17      bid savings and shall describe the anticipated use of such  
18      savings.

19      SEC. 228. The scope of work for a project included  
20      in “Construction, major projects” may not be increased  
21      above the scope specified for that project in the original  
22      justification data provided to the Congress as part of the  
23      request for appropriations.

24      SEC. 229. The Secretary of the Department of Vet-  
25      erans Affairs shall provide on a quarterly basis to the

1 Committees on Appropriations of both Houses of Congress  
2 notification of any single national outreach and awareness  
3 marketing campaign in which obligations exceed  
4 \$2,000,000.

5       SEC. 230. The Secretary shall submit to the Commit-  
6 tees on Appropriations of both Houses of Congress a re-  
7 programming request if at any point during fiscal year  
8 2013, the funding allocated for a medical care initiative  
9 identified in the fiscal year 2013 expenditure plan is ad-  
10 justed by more than \$25,000,000 from the allocation  
11 shown in the corresponding congressional budget justifica-  
12 tion. Such a reprogramming request may go forward only  
13 if the Committees on Appropriations of both Houses of  
14 Congress approve the request or if a period of 14 days  
15 has elapsed.

16       SEC. 231. None of the funds made available in this  
17 Act may be used to enter into a contract using procedures  
18 that do not give to small business concerns owned and con-  
19 trolled by veterans (as that term is defined in section  
20 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))  
21 that are included in the database under section 8127(f)  
22 of title 38, United States Code, any preference available  
23 with respect to such contract, except for a preference given  
24 to small business concerns owned and controlled by serv-

1 ice-disabled veterans (as defined in section 3(q)(2) of the  
2 Small Business Act (15 U.S.C. 632(q)(2)).

3       ~~SEC. 232. Funds made available under the heading~~  
4 ~~“Medical services” in title II of division II of Public Law~~  
5 ~~112–74 may be used to carry out section 1787 of title~~  
6 ~~38, United States Code.~~

7                               **TITLE III**

8                               **RELATED AGENCIES**

9                               **AMERICAN BATTLE MONUMENTS COMMISSION**

10                              **SALARIES AND EXPENSES**

11       For necessary expenses, not otherwise provided for,  
12 of the American Battle Monuments Commission, including  
13 the acquisition of land or interest in land in foreign coun-  
14 tries; purchases and repair of uniforms for caretakers of  
15 national cemeteries and monuments outside of the United  
16 States and its territories and possessions; rent of office  
17 and garage space in foreign countries; purchase (one-for-  
18 one replacement basis only) and hire of passenger motor  
19 vehicles; not to exceed \$7,500 for official reception and  
20 representation expenses; and insurance of official motor  
21 vehicles in foreign countries, when required by law of such  
22 countries, ~~\$62,929,000,~~ to remain available until ex-  
23 pended.

## 1 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

2 For necessary expenses, not otherwise provided for,  
3 of the American Battle Monuments Commission, such  
4 sums as may be necessary, to remain available until ex-  
5 pended, for purposes authorized by section 2109 of title  
6 36, United States Code.

## 7 UNITED STATES COURT OF APPEALS FOR VETERANS

## 8 CLAIMS

## 9 SALARIES AND EXPENSES

10 For necessary expenses for the operation of the  
11 United States Court of Appeals for Veterans Claims as  
12 authorized by sections 7251 through 7298 of title 38,  
13 United States Code, ~~\$32,481,000~~: *Provided*, That  
14 \$2,726,000 shall be available for the purpose of providing  
15 financial assistance as described, and in accordance with  
16 the process and reporting procedures set forth, under this  
17 heading in Public Law 102-229.

## 18 DEPARTMENT OF DEFENSE—CIVIL

## 19 CEMETERIAL EXPENSES, ARMY

## 20 SALARIES AND EXPENSES

21 For necessary expenses for maintenance, operation,  
22 and improvement of Arlington National Cemetery and Sol-  
23 diers' and Airmen's Home National Cemetery, including  
24 the purchase or lease of passenger motor vehicles for re-  
25 placement on a one-for-one basis only, and not to exceed

1 \$1,000 for official reception and representation expenses;  
2 \$65,800,000, of which not to exceed \$27,000,000 shall re-  
3 main available until September 30, 2015. In addition,  
4 such sums as may be necessary for parking maintenance,  
5 repairs and replacement, to be derived from the “Lease  
6 of Department of Defense Real Property for Defense  
7 Agencies” account.

8 CONSTRUCTION

9 For necessary expenses for planning and design and  
10 construction at Arlington National Cemetery and Soldiers’  
11 and Airmen’s Home National Cemetery, \$103,000,000, to  
12 remain available until September 30, 2017, of which,  
13 \$84,000,000 shall be for planning and design and con-  
14 struction associated with the Millennium Project at Ar-  
15 lington National Cemetery; and \$19,000,000 shall be for  
16 study, planning, design, and architect and engineer serv-  
17 ices for future expansion of burial space at Arlington Na-  
18 tional Cemetery.

19 ARMED FORCES RETIREMENT HOME

20 TRUST FUND

21 For expenses necessary for the Armed Forces Retire-  
22 ment Home to operate and maintain the Armed Forces  
23 Retirement Home—Washington, District of Columbia,  
24 and the Armed Forces Retirement Home—Gulfport, Mis-  
25 sissippi, to be paid from funds available in the Armed



1 Forces Retirement Home Trust Fund, \$67,590,000, of  
 2 which \$2,000,000 shall remain available until expended  
 3 for construction and renovation of the physical plants at  
 4 the Armed Forces Retirement Home—Washington, Dis-  
 5 trict of Columbia, and the Armed Forces Retirement  
 6 Home—Gulfport, Mississippi.

#### 7 ADMINISTRATIVE PROVISION

8 SEC. 301. Funds appropriated in this Act under the  
 9 heading, “Department of Defense—Civil, Cemeterial Ex-  
 10 penses, Army”, may be provided to Arlington County, Vir-  
 11 ginia, for the relocation of the federally owned water main  
 12 at Arlington National Cemetery, making additional land  
 13 available for ground burials.

#### 14 TITLE IV

#### 15 OVERSEAS CONTINGENCY OPERATIONS

#### 16 DEPARTMENT OF DEFENSE

#### 17 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

18 For an additional amount for “Military Construction,  
 19 Navy and Marine Corps”, \$150,768,000, to remain avail-  
 20 able until September 30, 2013: *Provided*, That such  
 21 amount is designated by the Congress for Overseas Con-  
 22 tingency Operations/Global War on Terrorism pursuant to  
 23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
 24 Emergency Deficit Control Act of 1985.

## ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112–10 and division H in title IV of Public Law 112–74, \$150,768,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE V

## GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative

1 relationships, for publicity or propaganda purposes, and  
2 for the preparation, distribution, or use of any kit, pam-  
3 phlet, booklet, publication, radio, television, or film presen-  
4 tation designed to support or defeat legislation pending  
5 before Congress, except in presentation to Congress itself.

6       SEC. 504. All departments and agencies funded under  
7 this Act are encouraged, within the limits of the existing  
8 statutory authorities and funding, to expand their use of  
9 “E-Commerce” technologies and procedures in the con-  
10 duct of their business practices and public service activi-  
11 ties.

12       SEC. 505. Unless stated otherwise, all reports and no-  
13 tifications required by this Act shall be submitted to the  
14 Subcommittee on Military Construction and Veterans Af-  
15 fairs, and Related Agencies of the Committee on Appro-  
16 priations of the House of Representatives and the Sub-  
17 committee on Military Construction and Veterans Affairs,  
18 and Related Agencies of the Committee on Appropriations  
19 of the Senate.

20       SEC. 506. None of the funds made available in this  
21 Act may be transferred to any department, agency, or in-  
22 strumentality of the United States Government except  
23 pursuant to a transfer made by, or transfer authority pro-  
24 vided in, this or any other appropriations Act.

1       ~~SEC. 507. None of the funds made available in this~~  
2 ~~Act may be used for a project or program named for an~~  
3 ~~individual serving as a Member, Delegate, or Resident~~  
4 ~~Commissioner of the United States House of Representa-~~  
5 ~~tives.~~

6       ~~SEC. 508. (a) Any agency receiving funds made avail-~~  
7 ~~able in this Act, shall, subject to subsections (b) and (c),~~  
8 ~~post on the public website of that agency any report re-~~  
9 ~~quired to be submitted by the Congress in this or any~~  
10 ~~other Act, upon the determination by the head of the agen-~~  
11 ~~cy that it shall serve the national interest.~~

12       ~~(b) Subsection (a) shall not apply to a report if—~~

13           ~~(1) the public posting of the report com-~~  
14 ~~promises national security; or~~

15           ~~(2) the report contains confidential or propri-~~  
16 ~~etary information.~~

17       ~~(c) The head of the agency posting such report shall~~  
18 ~~do so only after such report has been made available to~~  
19 ~~the requesting Committee or Committees of Congress for~~  
20 ~~no less than 45 days.~~

21       ~~SEC. 509. (a) None of the funds made available in~~  
22 ~~this Act may be used to maintain or establish a computer~~  
23 ~~network unless such network blocks the viewing,~~  
24 ~~downloading, and exchanging of pornography.~~

1       (b) Nothing in subsection (a) shall limit the use of  
2 funds necessary for any Federal, State, tribal, or local law  
3 enforcement agency or any other entity carrying out crimi-  
4 nal investigations, prosecution, or adjudication activities.

5       SEC. 510. None of the funds made available in this  
6 Act may be distributed to the Association of Community  
7 Organizations for Reform Now (ACORN) or its subsidi-  
8 aries or successors.

9       SEC. 511. (a) IN GENERAL.—None of the funds ap-  
10 propriated or otherwise made available to the Department  
11 of Defense in this Act may be used to construct, renovate,  
12 or expand any facility in the United States, its territories,  
13 or possessions to house any individual detained at United  
14 States Naval Station, Guantanamo Bay, Cuba, for the  
15 purposes of detention or imprisonment in the custody or  
16 under the control of the Department of Defense.

17       (b) The prohibition in subsection (a) shall not apply  
18 to any modification of facilities at United States Naval  
19 Station, Guantanamo Bay, Cuba.

20       (c) An individual described in this subsection is any  
21 individual who, as of June 24, 2009, is located at United  
22 States Naval Station, Guantanamo Bay, Cuba, and who—

23               (1) is not a citizen of the United States or a  
24 member of the Armed Forces of the United States;  
25 and

1           (2) is—

2                   (A) in the custody or under the effective  
3           control of the Department of Defense; or

4                   (B) otherwise under detention at United  
5           States Naval Station, Guantanamo Bay, Cuba.

6       SEC. 512. None of the funds appropriated or other-  
7   wise made available in this Act may be used by an agency  
8   of the executive branch to pay for first-class travel by an  
9   employee of the agency in contravention of sections 301–  
10 10.122 through 301–10.124 of title 41, Code of Federal  
11 Regulations.

12       SEC. 513. None of the funds provided in this Act may  
13   be used to execute a contract for goods or services, includ-  
14   ing construction services, where the contractor has not  
15   complied with Executive Order No. 12989.

16       SEC. 514. None of the funds made available by this  
17   Act may be used to enter into a contract, memorandum  
18   of understanding, or cooperative agreement with, make a  
19   grant to, or provide a loan or loan guarantee to, any cor-  
20   poration that was convicted of a felony criminal violation  
21   under any Federal law within the preceding 24 months,  
22   where the awarding agency is aware of the conviction, un-  
23   less the agency has considered suspension or debarment  
24   of the corporation and made a determination that this fur-

1 ther action is not necessary to protect the interests of the  
2 Government.

3       SEC. 515. None of the funds made available by this  
4 Act may be used to enter into a contract, memorandum  
5 of understanding, or cooperative agreement with, make a  
6 grant to, or provide a loan or loan guarantee to, any cor-  
7 poration that has any unpaid Federal tax liability that has  
8 been assessed, for which all judicial and administrative  
9 remedies have been exhausted or have lapsed, and that  
10 is not being paid in a timely manner pursuant to an agree-  
11 ment with the authority responsible for collecting the tax  
12 liability, where the awarding agency is aware of the unpaid  
13 tax liability, unless the agency has considered suspension  
14 or debarment of the corporation and made a determination  
15 that this further action is not necessary to protect the in-  
16 terests of the Government.

17       SEC. 516. Such sums as may be necessary for fiscal  
18 year 2013 for pay raises for programs funded by this Act  
19 shall be absorbed within the levels appropriated in this  
20 Act.

21       SEC. 517. None of the funds made available in this  
22 Act may be used to send or otherwise pay for the attend-  
23 ance of more than 50 employees from a Federal depart-  
24 ment or agency that are stationed within the United  
25 States at any single conference occurring outside a state

1 of the United States, except for employees of the Depart-  
 2 ment of Veterans Affairs stationed in the Philippines, un-  
 3 less the relevant Secretary reports to the Committees on  
 4 Appropriations of both Houses of Congress at least 5 days  
 5 in advance that such attendance is important to the na-  
 6 tional interest.

7 This division may be cited as the “Military Construe-  
 8 tion and Veterans Affairs, and Related Agencies Appro-  
 9 priations Act, 2013”.

10 **DIVISION C—FULL-YEAR CONTINUING**  
 11 **APPROPRIATIONS ACT, 2013**

12 The following sums are hereby appropriated, out of  
 13 any money in the Treasury not otherwise appropriated,  
 14 and out of applicable corporate or other revenues, receipts,  
 15 and funds, for the several departments, agencies, corpora-  
 16 tions, and other organizational units of Government for  
 17 fiscal year 2013, and for other purposes, namely:

18 **TITLE I—GENERAL PROVISIONS**

19 **SEC. 1101.** (a) Such amounts as may be necessary,  
 20 at the level specified in subsection (c) and under the au-  
 21 thority and conditions provided in applicable appropria-  
 22 tions Acts for fiscal year 2012, for projects or activities  
 23 (including the costs of direct loans and loan guarantees)  
 24 that are not otherwise specifically provided for, and for



1 which appropriations, funds, or other authority were made  
2 available in the following appropriations Acts:

3           (1) The Agriculture, Rural Development, Food  
4           and Drug Administration, and Related Agencies Ap-  
5           propriations Act, 2012 (division A of Public Law  
6           112–55), except for the appropriations designated by  
7           the Congress as being for disaster relief in section  
8           735 of such Act.

9           (2) The Commerce, Justice, Science, and Re-  
10          lated Agencies Appropriations Act, 2012 (division B  
11          of Public Law 112–55), except for the appropriation  
12          designated by the Congress as being for disaster re-  
13          lief in the second paragraph under the heading “De-  
14          partment of Commerce, Economic Development Ad-  
15          ministration, Economic Development Assistance Pro-  
16          grams” in such Act.

17          (3) The Energy and Water Development and  
18          Related Agencies Appropriations Act, 2012 (division  
19          B of Public Law 112–74).

20          (4) The Financial Services and General Govern-  
21          ment Appropriations Act, 2012 (division C of Public  
22          Law 112–74).

23          (5) The Department of Homeland Security Ap-  
24          propriations Act, 2012 (division D of Public Law  
25          112–74).

1           (6) The Department of the Interior, Environ-  
2           ment, and Related Agencies Appropriations Act,  
3           2012 (division E of Public Law 112–74).

4           (7) The Departments of Labor, Health and  
5           Human Services, and Education, and Related Agen-  
6           cies Appropriations Act, 2012 (division F of Public  
7           Law 112–74).

8           (8) The Legislative Branch Appropriations Act,  
9           2012 (division G of Public Law 112–74).

10          (9) The Department of State, Foreign Oper-  
11          ations, and Related Programs Appropriations Act,  
12          2012 (division I of Public Law 112–74).

13          (10) The Transportation, Housing and Urban  
14          Development, and Related Agencies Appropriations  
15          Act, 2012 (division C of Public Law 112–55), except  
16          for the appropriations designated by the Congress as  
17          being for disaster relief under the heading “Depart-  
18          ment of Transportation, Federal Highway Adminis-  
19          tration, Emergency Relief” and in the last proviso of  
20          section 239 of such Act.

21          (11) The Disaster Relief Appropriations Act,  
22          2012 (Public Law 112–77), except for appropria-  
23          tions under the heading “Corps of Engineers—  
24          Civil”.

1       (b) For purposes of this division, the term “level”  
2 means an amount.

3       (c) The level referred to in subsection (a) shall be  
4 the amounts appropriated in the appropriations Acts re-  
5 ferred to in such subsection, including transfers and obli-  
6 gation limitations, except that such level shall be cal-  
7 culated without regard to any rescission or cancellation  
8 of funds or contract authority, other than—

9           (1) the ~~0.16~~ percent across-the-board rescission  
10 in section ~~436~~ of division E of Public Law 112–74  
11 (relating to the Department of the Interior, Environ-  
12 ment, and Related Agencies); and

13           (2) the ~~0.189~~ percent across-the-board rescis-  
14 sion in section ~~527~~ of division F of Public Law 112–  
15 74, (relating to the Departments of Labor, Health  
16 and Human Services, and Education, and Related  
17 Agencies).

18       ~~SEC. 1102.~~ Appropriations made by section ~~1101~~  
19 shall be available to the extent and in the manner that  
20 would be provided by the pertinent appropriations Act.

21       ~~SEC. 1103.~~ Appropriations provided by this division  
22 that, in the applicable appropriations Act for fiscal year  
23 2012, carried a multiple-year or no-year period of avail-  
24 ability shall retain a comparable period of availability.

1       SEC. 1104. No appropriation or funds made available  
2 or authority granted pursuant to section 1101 shall be  
3 used to initiate or resume any project or activity for which  
4 appropriations, funds, or other authority were not avail-  
5 able during fiscal year 2012.

6       SEC. 1105. Except as otherwise expressly provided in  
7 this division, the requirements, authorities, conditions,  
8 limitations, and other provisions of the appropriations  
9 Acts referred to in section 1101 shall continue in effect  
10 through the date specified in section 1106.

11       SEC. 1106. Unless otherwise provided for in this divi-  
12 sion or in the applicable appropriations Act, appropria-  
13 tions and funds made available and authority granted pur-  
14 suant to this division shall be available through September  
15 30, 2013.

16       SEC. 1107. Expenditures made pursuant to the Con-  
17 tinuing Appropriations Resolution, 2013 (Public Law  
18 112-175) shall be charged to the applicable appropriation,  
19 fund, or authorization provided by this division.

20       SEC. 1108. Funds appropriated by this division may  
21 be obligated and expended notwithstanding section 10 of  
22 Public Law 91-672 (22 U.S.C. 2412), section 15 of the  
23 State Department Basic Authorities Act of 1956 (22  
24 U.S.C. 2680), and section 313 of the Foreign Relations

1 Authorization Act, Fiscal Years 1994 and 1995 (22  
2 U.S.C. 6212).

3       ~~SEC. 1109.~~ (a) For entitlements and other mandatory  
4 payments whose budget authority was provided in appro-  
5 priations Acts for fiscal year 2012, and for activities under  
6 the Food and Nutrition Act of 2008, the levels established  
7 by section ~~1101~~ shall be the amounts necessary to main-  
8 tain program levels under current law and under the au-  
9 thority and conditions provided in the applicable appro-  
10 priations Acts for fiscal year 2012.

11       (b) In addition to the amounts otherwise provided by  
12 section ~~1101~~, the following amounts shall be available for  
13 the following accounts for advance payments for the first  
14 quarter of fiscal year 2014:

15           (1) “Department of Labor, Office of Workers’  
16 Compensation Programs, Special Benefits for Dis-  
17 abled Coal Miners”, for benefit payments under title  
18 IV of the Federal Mine Safety and Health Act of  
19 1977, \$40,000,000, to remain available until ex-  
20 pended.

21           (2) “Department of Health and Human Serv-  
22 ices, Centers for Medicare and Medicaid Services,  
23 Grants to States for Medicaid”, for payments to  
24 States or in the case of section 1928 on behalf of  
25 States under title XIX of the Social Security Act,

1       ~~\$106,335,631,000,~~ to remain available until ex-  
2       ~~pended.~~

3           ~~(3) “Department of Health and Human Serv-~~  
4       ~~ices, Administration for Children and Families, Pay-~~  
5       ~~ments to States for Child Support Enforcement and~~  
6       ~~Family Support Programs”, for payments to States~~  
7       ~~or other non-Federal entities under titles I, IV-D, X,~~  
8       ~~XI, XIV, and XVI of the Social Security Act and the~~  
9       ~~Act of July 5, 1960 (24 U.S.C. ch. 9),~~  
10       ~~\$1,100,000,000, to remain available until expended.~~

11           ~~(4) “Department of Health and Human Serv-~~  
12       ~~ices, Administration for Children and Families, Pay-~~  
13       ~~ments for Foster Care and Permanency”, for pay-~~  
14       ~~ments to States or other non-Federal entities under~~  
15       ~~title IV-E of the Social Security Act,~~  
16       ~~\$2,200,000,000.~~

17           ~~(5) “Social Security Administration, Supple-~~  
18       ~~mental Security Income Program”, for benefit pay-~~  
19       ~~ments under title XVI of the Social Security Act,~~  
20       ~~\$19,300,000,000, to remain available until ex-~~  
21       ~~pended.~~

22       ~~SEC. 1110. (a) Each amount made available in this~~  
23       ~~division by reference to an appropriation that was pre-~~  
24       ~~viously designated by the Congress for Overseas Contin-~~  
25       ~~gency Operations/Global War on Terrorism pursuant to~~

1 section 251(b)(2)(A) of the Balanced Budget and Emer-  
 2 gency Deficit Control Act of 1985 or as being for disaster  
 3 relief pursuant to section 251(b)(2)(D) of such Act is des-  
 4 ignated by the Congress for Overseas Contingency Oper-  
 5 ations/Global War on Terrorism pursuant to section  
 6 251(b)(2)(A) of such Act or as being for disaster relief  
 7 pursuant to section 251(b)(2)(D) of such Act, respectively.

8 (b) Of the amount made available by section 1101  
 9 for “Social Security Administration, Limitation on Admin-  
 10 istrative Expenses”, \$483,484,000 is additional new budg-  
 11 et authority specified for purposes of subsection  
 12 251(b)(2)(B) of the Balanced Budget and Emergency  
 13 Deficit Control Act of 1985.

14 SEC. 1111. With respect to any discretionary account  
 15 for which advance appropriations were provided for fiscal  
 16 year 2013 or 2014 in an appropriations Act for fiscal year  
 17 2012, in addition to amounts otherwise made available by  
 18 this division, advance appropriations are provided in the  
 19 same amount for fiscal year 2014 or 2015, respectively,  
 20 with a comparable period of availability.

21 SEC. 1112. (a) Section 147 of the Continuing Appro-  
 22 priations Act, 2011 (Public Law 111–242), as added by  
 23 section 1(a)(2) of the Continuing Appropriations and Sur-  
 24 face Transportation Extensions Act, 2011 (Public Law  
 25 111–322; 5 U.S.C. 5303 note), is amended—

1           (1) in subsection (b)(1), by striking the matter  
2           after “ending on” and before “shall be made” and  
3           inserting “December 31, 2013,”; and

4           (2) in subsection (c), by striking the matter  
5           after “ending on” and before “no senior executive”  
6           and inserting “December 31, 2013,”.

7           (b) Section 114 of the Continuing Appropriations  
8           Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303  
9           note) is repealed.

10          SEC. 1113. (a) Not later than 30 days after the date  
11          of the enactment of this division, each department and  
12          agency in subsection (c) shall submit to the Committees  
13          on Appropriations of the House of Representatives and the  
14          Senate a spending, expenditure, or operating plan for fis-  
15          cal year 2013—

16               (1) at the program, project, or activity level (or,  
17               for foreign assistance programs funded in titles III,  
18               IV and VIII of the Department of State, Foreign  
19               Operations, and Related Programs Appropriations  
20               Act, at the country, regional, and central program  
21               level, and for any international organization); or

22               (2) as applicable, at any greater level of detail  
23               required for funds covered by such a plan in an ap-  
24               propriations Act referred to in section 1101, in the  
25               joint explanatory statement accompanying such Act,



1 or in committee report language incorporated by ref-  
2 erence in such joint explanatory statement.

3 (b) If a sequestration is ordered by the President  
4 under section 251A of the Balanced Budget and Emer-  
5 gency Deficit Control Act of 1985, the spending, expendi-  
6 ture, or operating plan required by this section shall re-  
7 flect such sequestration.

8 (c) The departments and agencies to which this sec-  
9 tion applies are as follows:

10 (1) The Department of Agriculture.

11 (2) The Department of Commerce.

12 (3) The Department of Education.

13 (4) The Department of Energy.

14 (5) The Department of Health and Human  
15 Services.

16 (6) The Department of Homeland Security.

17 (7) The Department of Housing and Urban De-  
18 velopment.

19 (8) The Department of the Interior.

20 (9) The Department of Justice.

21 (10) The Department of Labor.

22 (11) The Department of State and United  
23 States Agency for International Development.

24 (12) The Department of Transportation.

25 (13) The Department of the Treasury.

1           ~~(14) The National Aeronautics and Space Ad-~~  
2           ~~ministration.~~

3           ~~(15) The National Science Foundation.~~

4           ~~(16) The Judiciary.~~

5           ~~(17) With respect to amounts made available~~  
6           ~~under the heading “Executive Office of the Presi-~~  
7           ~~dent and Funds Appropriated to the President”,~~  
8           ~~agencies funded under such heading.~~

9           ~~(18) The Federal Communications Commission.~~

10          ~~(19) The General Services Administration.~~

11          ~~(20) The Office of Personnel Management.~~

12          ~~(21) The National Archives and Records Ad-~~  
13          ~~ministration.~~

14          ~~(22) The Securities and Exchange Commission.~~

15          ~~(23) The Small Business Administration.~~

16          ~~(24) The Environmental Protection Agency.~~

17          ~~(25) The Indian Health Service.~~

18          ~~(26) The Smithsonian Institution.~~

19          ~~(27) The Social Security Administration.~~

20          ~~(28) The Corporation for National and Commu-~~  
21          ~~nity Service.~~

22          ~~(29) The Corporation for Public Broadcasting.~~

23          ~~(30) The Food and Drug Administration.~~

24          ~~(31) The Commodity Futures Trading Commis-~~  
25          ~~sion.~~

1       ~~SEC. 1114.~~ Not later than May 1, 2013, and each  
 2 month thereafter through November 1, 2013, the Director  
 3 of the Office of Management and Budget shall submit to  
 4 the Committees on Appropriations of the House of Rep-  
 5 resentatives and the Senate a report on all obligations in-  
 6 curred in fiscal year 2013, by each department and agen-  
 7 cy, using funds made available by this division. Such re-  
 8 port shall—

9               (1) set forth obligations by account; and

10              (2) compare the obligations incurred in the pe-  
 11 riod covered by the report to the obligations incurred  
 12 in the same period in fiscal year 2012.

13 ~~TITLE H—AGRICULTURE, RURAL DEVELOP-~~  
 14 ~~MENT, FOOD AND DRUG ADMINISTRATION,~~  
 15 ~~AND RELATED AGENCIES~~

16       ~~SEC. 1201.~~ Notwithstanding section 1101, the level  
 17 for “Domestic Food Programs, Food and Nutrition Serv-  
 18 ice, Commodity Assistance Program”, shall be  
 19 \$253,952,000, of which \$186,935,000 shall be for the  
 20 Commodity Supplemental Food Program.

21       ~~SEC. 1202.~~ Notwithstanding section 1101, the  
 22 amounts included under the heading “Agricultural Pro-  
 23 grams, Farm Service Agency, Agricultural Credit Insur-  
 24 ance Fund Program Account” in division A of Public Law  
 25 112–55 shall be applied to funds appropriated by this divi-

1 sion as follows: by substituting “\$2,000,000,000” for  
 2 “\$1,500,000,000” the first place it appears; by sub-  
 3 stituting “\$1,258,887,000” for “\$1,050,090,000”; and by  
 4 substituting “\$70,120,000” for “\$59,120,000”.

5       ~~SEC. 1203.~~ Notwithstanding section 1101, the Sec-  
 6 retary of Agriculture may transfer funds among the loan  
 7 and loan guarantee programs within the Rural Develop-  
 8 ment mission area to maintain the 2012 program levels,  
 9 to the extent possible, for such programs and activities  
 10 during fiscal year 2013.

11       ~~SEC. 1204.~~ Notwithstanding section 1101, amounts  
 12 otherwise provided by section 1101 for “Department of  
 13 Health and Human Services, Food and Drug Administra-  
 14 tion, Salaries and Expenses” for medical device user fees  
 15 shall be increased by the amounts by which the authorized  
 16 levels of such fees for fiscal year 2013 exceed the author-  
 17 ized levels of such fees for fiscal year 2012: *Provided*, That  
 18 amounts collected for fees specified in this section for fis-  
 19 cal year 2013 that exceed applicable fiscal year 2013 limi-  
 20 tations for such fees are appropriated and shall be credited  
 21 to such account and remain available until expended.

22       ~~SEC. 1205.~~ Notwithstanding section 1101, fees au-  
 23 thorized for fiscal year 2013 pursuant to section 744B of  
 24 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.  
 25 379j-42) shall be credited to “Department of Health and

1 Human Services, Food and Drug Administration, Salaries  
 2 and Expenses” and remain available until expended.

3 SEC. 1206. Sections 744 and 748 of division A of  
 4 Public Law 112–55 shall not apply to funds appropriated  
 5 by this division.

6 SEC. 1207. Of the funds made available for “Rural  
 7 Development Programs, Rural Business—Cooperative  
 8 Service, Rural Economic Development Loans Program Ac-  
 9 count”, of the funds derived from interest on the cushion  
 10 of credit payments, as authorized by section 313 of the  
 11 Rural Electrification Act of 1936 (7 U.S.C. 940e),  
 12 \$180,000,000 shall not be obligated and \$180,000,000 is  
 13 rescinded.

14 SEC. 1208. (a) Notwithstanding section 1101, the  
 15 first and second provisos of section 726(15) of division A  
 16 of Public Law 112–55 shall be applied to funds appro-  
 17 priated by this division as if “, in this fiscal year,” ap-  
 18 peared before “section 19(i)(1)(E)” the first place it ap-  
 19 pears, by substituting “\$39,000,000” for “\$20,000,000”,  
 20 and by substituting “\$117,000,000” for “\$133,000,000”.

21 (b) Of the unobligated balances available under sec-  
 22 tion 14222(b)(2)(A)(v) of Public Law 110–246 (7 U.S.C.  
 23 612c–6(b)(2)(A)(v)), \$150,000,000 is rescinded.

24 SEC. 1209. In addition to amounts provided else-  
 25 where in this division, \$48,256,765 is appropriated for ac-

1 tivities under section 403 of the Agricultural Credit Act  
 2 of 1978 (Emergency Watershed Protection Program; 46  
 3 U.S.C. 2203) for necessary expenses resulting from a  
 4 major disaster declared pursuant to the Robert T. Staf-  
 5 ford Disaster Relief and Emergency Assistance Act (42  
 6 U.S.C. 5121 et seq.): *Provided*, That the Secretary of Ag-  
 7 riculture shall transfer these funds to the Natural Re-  
 8 sources Conservation Service.

9 SEC. 1210. Section 1109(a) of this division shall not  
 10 be construed to change the requirement that  
 11 \$3,000,000,000, to remain available until September 30,  
 12 2014, be placed in reserve for “Domestic Food Programs,  
 13 Food and Nutrition Service, Supplemental Nutrition As-  
 14 sistance Program”.

15 SEC. 1211. Notwithstanding section 1101, the level  
 16 for “Agricultural Programs, National Agricultural Statis-  
 17 ties Service” shall be \$179,477,000, of which up to  
 18 \$62,500,000 shall be available until expended for the Cen-  
 19 sus of Agriculture.

## 20 TITLE III—COMMERCE, JUSTICE, SCIENCE, AND 21 RELATED AGENCIES

22 SEC. 1301. Notwithstanding section 1101, the level  
 23 for “National Oceanic and Atmospheric Administration,  
 24 Procurement, Acquisition and Construction” shall be  
 25 \$1,951,036,000, of which \$802,000,000 shall be for the

1 Geostationary Operational Environmental Satellite—R sys-  
 2 tem.

3 SEC. 1302. Notwithstanding section 1101, the level  
 4 for each of the following accounts shall be \$0: “Depart-  
 5 ment of Justice, General Administration, National Drug  
 6 Intelligence Center”; “Department of Justice, Drug En-  
 7 forcement Administration, Construction”.

8 SEC. 1303. Notwithstanding section 1101, the level  
 9 for “Department of Justice, General Administration, Jus-  
 10 tice Information Sharing Technology” shall be  
 11 \$22,000,000.

12 SEC. 1304. Notwithstanding section 1101, the level  
 13 for “Department of Justice, Federal Bureau of Investiga-  
 14 tion, Salaries and Expenses” shall be \$8,165,520,000.

15 SEC. 1305. Notwithstanding section 1101, the level  
 16 for “Department of Justice, Federal Prison System, Sala-  
 17 ries and Expenses” shall be \$6,689,481,000.

18 SEC. 1306. Notwithstanding section 1101, the level  
 19 for “Department of Justice, Office of Justice Programs,  
 20 State and Local Law Enforcement Assistance” shall be  
 21 \$1,062,500,000: *Provided*, That the amounts included  
 22 under such heading in division B of Public Law 112–55  
 23 shall be applied to funds appropriated by this division as  
 24 follows: by substituting “\$370,000,000” for

1 “\$470,000,000”; and by substituting “\$0” for  
2 “\$100,000,000”.

3 SEC. 1307. Of the unobligated balances available for  
4 “Department of Justice, Legal Activities, Assets For-  
5 feiture Fund”, \$675,000,000 is rescinded.

6 SEC. 1308. Of the unobligated balances available for  
7 “Department of Justice, Federal Prison System, Build-  
8 ings and Facilities”, \$64,700,000 is rescinded, to be de-  
9 rived from amounts for the “Acquire Existing Institution  
10 for Higher Security FCI” project.

11 SEC. 1309. Section 505 of division B of Public Law  
12 112–55 shall be applied to funds appropriated by this divi-  
13 sion by substituting “45” for “15”.

14 SEC. 1310. (a) None of the income retained in the  
15 Department of Justice Working Capital Fund pursuant  
16 to title I of Public Law 102–140 (105 Stat. 784; 28  
17 U.S.C. 527 note) shall be available for obligation during  
18 fiscal year 2013.

19 (b) Not to exceed \$30,000,000 of the unobligated bal-  
20 ances transferred to the capital account of the Department  
21 of Justice Working Capital Fund pursuant to title I of  
22 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)  
23 shall be available for obligation in fiscal year 2013; and  
24 any use, obligation, transfer, or allocation of such funds



1 shall be treated as a reprogramming of funds under sec-  
2 tion 505 of division B of Public Law 112–55.

3 (c) Not to exceed \$10,000,000 of the excess unobli-  
4 gated balances available under section 524(c)(8)(E) of  
5 title 28, United States Code, shall be available for obliga-  
6 tion during fiscal year 2013, and any use, obligation,  
7 transfer, or allocation of such funds shall be treated as  
8 a reprogramming of funds under section 505 of division  
9 B of Public Law 112–55.

10 (d) Of amounts available in the Department of Jus-  
11 tice Assets Forfeiture Fund in fiscal year 2013,  
12 \$154,700,000 shall be for payments associated with joint  
13 law enforcement operations in fiscal year 2013 as author-  
14 ized by section 524(c)(1)(I) of title 28, United States  
15 Code.

16 (e) The Attorney General shall submit a spending  
17 plan to the Committees on Appropriations of the House  
18 of Representatives and the Senate not later than 45 days  
19 after the date of enactment of this division detailing the  
20 planned distribution of the Department of Justice Assets  
21 Forfeiture Fund joint law enforcement operations funding  
22 during fiscal year 2013.

23 (f) Subsections (a) through (d) of this section shall  
24 sunset on September 30, 2013.

1        SEC. 1311. Notwithstanding section 1101, the level  
 2 for “National Aeronautics and Space Administration, Ex-  
 3 ploration” shall be \$4,152,000,000: *Provided*, That the  
 4 amounts included under such heading in division B of  
 5 Public Law 112–55 shall be applied to funds appropriated  
 6 by this division as follows: by substituting  
 7 “\$2,119,000,000” for “\$1,860,000,000”; by substituting  
 8 “\$525,000,000” for “\$406,000,000”; by substituting  
 9 “\$308,000,000” for “\$304,800,000”; by substituting  
 10 “\$454,000,000” for “\$316,500,000”; and by substituting  
 11 “\$265,000,000” for “\$58,000,000”.

12        SEC. 1312. Notwithstanding section 1101, the level  
 13 for each of the following accounts shall be as follows: “Na-  
 14 tional Aeronautics and Space Administration, Space Oper-  
 15 ations”, \$4,000,000,000; and “National Aeronautics and  
 16 Space Administration, Cross Agency Support”,  
 17 \$2,847,400,000.

#### 18                    TITLE IV—ENERGY AND WATER

#### 19            DEVELOPMENT AND RELATED AGENCIES

20        SEC. 1401. (a) Notwithstanding section 1101, the  
 21 level for “Department of Energy, Atomic Energy Defense  
 22 Activities, National Nuclear Security Administration,  
 23 Weapons Activities” shall be \$7,577,341,000.

(b) Section 301(e) of division B of Public Law 112-74 shall not apply to amounts made available by this section.

4        SEC. 1402. In addition to amounts otherwise made  
5 available by this division, \$150,000,000 is appropriated  
6 for "Department of Energy, Atomic Energy Defense Ac-  
7 tivities, National Nuclear Security Administration, De-  
8 fense Nuclear Nonproliferation" for domestic uranium en-  
9 richment research, development, and demonstration.

10       ~~SEC. 1403.~~ Section 14704 of title 40, United States  
11 Code, shall be applied to amounts made available by this  
12 division by substituting the date specified in section 1106  
13 of this division for “October 1, 2012”.

14 ~~TITLE V—FINANCIAL SERVICES AND GENERAL~~  
15 ~~GOVERNMENT~~

16 SEC. 1501. (a) Notwithstanding any other provision  
17 of this division, except section 1106, the District of Co-  
18 lumbia may expend local funds under the heading “Dis-  
19 trict of Columbia Funds” for such programs and activities  
20 under title IV of H.R. 6020 (112th Congress), as reported  
21 by the Committee on Appropriations of the House of Rep-  
22 resentatives, at the rate set forth under “District of Co-  
23 lumbia Funds—Summary of Expenses” as included in the  
24 Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act

1 ~~19-381~~), as modified as of the date of the enactment of  
2 this division.

3 (b) Section 803(b) of the Financial Services and Gen-  
4 eral Government Appropriations Act, 2012 (division C of  
5 Public Law 112-74, 125 Stat. 940) is amended by strik-  
6 ing “November 1, 2012” and inserting “November 1,  
7 2013”.

8 SEC. 1502. Notwithstanding section 1101, the level  
9 for “District of Columbia, Federal Funds, Federal Pay-  
10 ment for Emergency Planning and Security Costs in the  
11 District of Columbia” shall be \$24,700,000, of which not  
12 less than \$9,800,000 shall be used for costs associated  
13 with the Presidential Inauguration.

14 SEC. 1503. Notwithstanding section 1101, the fifth  
15 proviso under the heading “Federal Communications  
16 Commission, Salaries and Expenses” in division C of Pub-  
17 lic Law 112-74 shall be applied by substituting  
18 “\$98,739,000” for “\$85,000,000”.

19 SEC. 1504. Notwithstanding any other provision of  
20 this division, amounts made available by section 1101 for  
21 “Department of the Treasury, Departmental Offices, Sal-  
22 aries and Expenses” and “Department of the Treasury,  
23 Office of Inspector General, Salaries and Expenses” may  
24 be used for activities in connection with section 1602(e)  
25 of the Resources and Ecosystems Sustainability, Tourist

1 Opportunities, and Revived Economies of the Gulf Coast  
 2 States Act of 2012 (subtitle F of title I of division A of  
 3 Public Law 112–141).

4       SEC. 1505. Notwithstanding section 1101, the level  
 5 for “Office of Government Ethics, Salaries and Expenses”  
 6 shall be \$18,664,000, of which \$5,000,000 shall be for de-  
 7 velopment and deployment of the centralized, publicly ac-  
 8 cessible database required in section 11(b) of the STOCK  
 9 Act (Public Law 112–105).

10       SEC. 1506. Notwithstanding section 1101, the level  
 11 for “Small Business Administration, Business Loans Pro-  
 12 gram Account” for the cost of guaranteed loans as author-  
 13 ized by section 7(a) of the Small Business Act and section  
 14 503 of the Small Business Investment Act of 1958 shall  
 15 be \$333,600,000.

16       SEC. 1507. Of the unobligated balances available for  
 17 “Department of the Treasury, Treasury Forfeiture  
 18 Fund”, \$950,000,000 is rescinded.

## 19           TITLE VI—HOMELAND SECURITY

20       SEC. 1601. (a) Amounts made available by this divi-  
 21 sion for “Department of Homeland Security, U.S. Cus-  
 22 toms and Border Protection, Salaries and Expenses” shall  
 23 be obligated as necessary to maintain the staffing levels  
 24 (including by backfilling vacant positions) of Border Pa-  
 25 trol agents, Customs and Border Protection officers, and

1 Air and Marine interdiction agents in effect at the end  
2 of the fourth quarter of fiscal year 2012; or, with respect  
3 to Border Patrol agents, at such greater levels as may oth-  
4 erwise be required in the second proviso under such head-  
5 ing in division D of Public Law 112-74.

6 (b) Not later than 30 days after the date of the enact-  
7 ment of this division, the Commissioner of U.S. Customs  
8 and Border Protection shall submit to the Committees on  
9 Appropriations of the House of Representatives and the  
10 Senate a detailed expenditure plan for “Department of  
11 Homeland Security, U.S. Customs and Border Protection,  
12 Salaries and Expenses” at the program, project, and activ-  
13 ity level that specifies how the Commissioner will maintain  
14 staffing levels as required under subsection (a) throughout  
15 fiscal year 2013.

16 SEC. 1602. (a) Amounts made available by this divi-  
17 sion for “Department of Homeland Security, U.S. Immi-  
18 gration and Customs Enforcement, Salaries and Ex-  
19 penses” shall be obligated as necessary to maintain a level  
20 not less than 34,000 detention beds as required in the  
21 sixth proviso under such heading in division D of Public  
22 Law 112-74.

23 (b) Not later than 30 days after the date of the enact-  
24 ment of this division, the Assistant Secretary of U.S. Im-  
25 migration and Customs Enforcement shall submit to the

1 Committees on Appropriations of the House of Represent-  
2 atives and the Senate a detailed expenditure plan for “De-  
3 partment of Homeland Security, U.S. Immigration and  
4 Customs Enforcement, Salaries and Expenses” at the pro-  
5 gram, project, and activity level that specifies how the As-  
6 sistant Secretary will maintain detention bed levels as re-  
7 quired under subsection (a) throughout fiscal year 2013.

8       SEC. 1603. Notwithstanding section 1101, the levels  
9 for the following accounts of the Department of Homeland  
10 Security shall be as follows:

11           (1) “Office of the Secretary and Executive  
12 Management”, \$126,074,000.

13           (2) “Analysis and Operations”, \$322,280,000.

14           (3) “U.S. Customs and Border Protection, Sal-  
15 aries and Expenses”, \$9,024,610,000.

16           (4) “U.S. Customs and Border Protection, Bor-  
17 der Security Fencing, Infrastructure, and Tech-  
18 nology”, \$324,099,000.

19           (5) “U.S. Customs and Border Protection, Air  
20 and Marine Interdiction, Operations, Maintenance,  
21 and Procurement”, \$515,436,000.

22           (6) “Transportation Security Administration,  
23 Transportation Security Support”, \$954,277,000.

24           (7) “Transportation Security Administration,  
25 Federal Air Marshals”, \$910,563,000.

1           (8) “United States Secret Service, Salaries and  
2       Expenses”, \$1,601,454,000.

3           (9) “National Protection and Programs Direc-  
4       torate, United States Visitor and Immigrant Status  
5       Indicator Technology”, \$279,133,000.

6           (10) “Office of Health Affairs”, \$132,499,000  
7       of which \$85,390,000 shall be for BioWatch and  
8       \$26,702,000 is for salaries and expenses.

9           (11) “Federal Emergency Management Agency,  
10      Salaries and Expenses”, \$837,090,000, of which  
11      \$35,180,000 shall be for the National Urban Search  
12      and Rescue Response System, not to exceed  
13      \$22,000,000 shall be for capital improvements at  
14      the Mount Weather Emergency Operations Center,  
15      and not less than \$5,000,000 shall be for expenses  
16      related to modernization of automated systems.

17          (12) “United States Citizenship and Immigra-  
18      tion Services”, \$111,924,000 for the E-Verify Pro-  
19      gram.

20      SEC. 1604. Notwithstanding section 1101, the level  
21      for “Department of Homeland Security, Transportation  
22      Security Administration, Aviation Security” shall be  
23      \$5,048,008,000: *Provided*, That the amounts included  
24      under such heading in division D of Public Law 112-74  
25      shall be applied to funds appropriated by this division by



1 substituting “\$3,972,020,000” for “\$4,167,631,000”; by  
 2 substituting “\$408,930,000” for “\$543,103,000”; by sub-  
 3 stituting “\$115,204,000” for “\$204,768,000”; by sub-  
 4 stituting “\$1,075,988,000” for “\$1,086,325,000”; by  
 5 substituting “9 percent” for “10 percent”; and by sub-  
 6 stituting “\$2,978,008,000” for “\$3,223,956,000”.

7       SEC. 1605. Notwithstanding section 1101, the level  
 8 for “Department of Homeland Security, Coast Guard, Ac-  
 9 quisition, Construction, and Improvements” shall be  
 10 \$1,468,393,000, of which \$1,005,800,000 shall be for ves-  
 11 sels, small boats, and related equipment, including 6 Fast  
 12 Response Cutters, 1 National Security Cutter, 5 Response  
 13 Boat-Mediums, and initial development of an icebreaker;  
 14 and \$190,500,000 shall be for aircraft including 1  
 15 missionized HC-130J aircraft, 1 missionized HC-144 air-  
 16 craft, and one H-60 helicopter, \$64,000,000 shall be for  
 17 other acquisition programs, \$94,411,000 shall be for  
 18 shore, military housing, and aids to navigation, and  
 19 \$113,682,000 shall be for personnel compensation and  
 20 benefits and other costs: *Provided*, That funds under this  
 21 heading for vessels shall be immediately available and al-  
 22 lotted to contract for the production of the sixth National  
 23 Security Cutter notwithstanding the availability of funds  
 24 for post-production costs: *Provided further*, That the Coast  
 25 Guard may decommission one High Endurance Cutter, re-

1 tire 3 HU-24 aircraft, disestablish the Patrol Boat High-  
 2 Tempo Maintenance Operations, and disestablish the Vin-  
 3 tage Vessel National Center of Expertise.

4 SEC. 1606. The following amounts are rescinded:

5 (1) Of the funds made available for “Depart-  
 6 ment of Homeland Security, Coast Guard, Acquisi-  
 7 tion, Construction, and Improvements” in division D  
 8 of Public Law 110–329, \$25,000,000, to be derived  
 9 from the amounts made available under such head-  
 10 ing for the fourth National Security Cutter.

11 (2) Of the funds made available for “Depart-  
 12 ment of Homeland Security, Coast Guard, Acquisi-  
 13 tion, Construction, and Improvements” in Public  
 14 Law 112–10, \$43,500,000, to be derived from the  
 15 amounts made available under such heading for the  
 16 fifth National Security Cutter.

17 SEC. 1607. (a) Notwithstanding section 1101, the  
 18 level for “Department of Homeland Security, National  
 19 Protection and Programs Directorate, Infrastructure Pro-  
 20 tection and Information Security” shall be  
 21 \$1,138,528,000: *Provided*, That of such amount,  
 22 \$328,000,000 shall be for Network Security Deployment,  
 23 and \$218,000,000 shall be for Federal Network Security  
 24 to establish and sustain essential cybersecurity activities,  
 25 including procurement and operations of continuous moni-

1 toring and diagnostics systems and intrusion detection  
2 systems for civilian Federal computer networks: *Provided*  
3 *further*, That of the aggregate amount made available in  
4 the preceding proviso for Network Security Deployment  
5 and Federal Network Security, \$213,000,000 shall remain  
6 available until September 30, 2014.

7 (b) Not later than 15 days after the date of the enact-  
8 ment of this division, the Secretary of Homeland Security  
9 shall submit to the Committees on Appropriations of the  
10 House of Representatives and the Senate an updated ex-  
11 penditure plan for essential cybersecurity activities de-  
12 scribed in subsection (a).

13 SEC. 1608. Section 532(a) of the Department of  
14 Homeland Security Appropriations Act, 2007 (Public Law  
15 109–295) is amended by striking “2012” and inserting  
16 “2013”.

17 SEC. 1609. Section 550(b) of the Department of  
18 Homeland Security Appropriations Act, 2007 (Public Law  
19 109–295; 6 U.S.C. 121 note) is amended by striking “on  
20 October 4, 2012” and inserting “on October 4, 2013”.

21 SEC. 1610. Section 831 of the Homeland Security  
22 Act of 2002 (6 U.S.C. 391) is amended—

23 (1) in subsection (a), by striking “Until Sep-  
24 tember 30, 2012,” and inserting “Until September  
25 30, 2013,”; and

3        SEC. 1611. (a) The third, fourth, and fifth provisos  
4        under the heading “Department of Homeland Security,  
5        Office of the Secretary and Executive Management” in di-  
6        vision D of Public Law 112-74 shall not apply to funds  
7        appropriated by this division.

(b) The second, third, and fourth provisos under the heading “Department of Homeland Security, National Protection and Programs Directorate, Management and Administration” in division D of Public Law ~~112~~–74 shall not apply to funds appropriated by this division.

13 TITLE VII—INTERIOR, ENVIRONMENT, AND  
14 RELATED AGENCIES

15        SEC. 1701. The contract authority provided for fiscal  
16   year 2013 by 16 U.S.C. 4601-10a is rescinded.

17        ~~SEC. 1702.~~ Notwithstanding section 1101, the level  
18    for “Department of the Interior, Department-wide Pro-  
19    grams, Wildland Fire Management” shall be  
20    ~~\$823,473,000: *Provided*, That of the amounts made avail-~~  
21    ~~able by section 140(b) of Public Law 112–175 (126 Stat.~~  
22    ~~1321), \$7,500,000 is rescinded.~~

23 SEC. 1703. Section 10101(a) of the Omnibus Budget  
24 Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amend-  
25 ed by section 430 of the Department of the Interior, Envi-

1 ronment, and Related Agencies Appropriations Act, 2012  
 2 (division E of Public Law 112–74; 125 Stat 1047), is fur-  
 3 ther amended—

4           (1) in paragraph (1) in the first sentence, by  
 5 striking “on” the first place it appears and inserting  
 6 “before, on,”; and

7           (2) in paragraph (2)—

8                 (A) by striking “located” the second place  
 9 it appears;

10                (B) by inserting at the end of the fol-  
 11 lowing: “Such claim maintenance fee shall be in  
 12 lieu of the assessment work requirement con-  
 13 tained in the Mining Law of 1872 (30 U.S.C.  
 14 28 to 28e) and the related filing requirements  
 15 contained in section 314(a) and (e) of the Fed-  
 16 eral Land Policy and Management Act of 1976  
 17 (43 U.S.C. 1744(a) and (e)).”; and

18                (C) by striking “(a)” in the first sentence  
 19 and inserting “(a)(1)”.

20       SEC. 1704. (a) Of the unobligated balances available  
 21 under the following headings from prior appropriation  
 22 Acts, the following amounts are rescinded:

23                (1) “Hazardous Substance Superfund”,  
 24       \$15,000,000.

1           (2) “State and Tribal Assistance Grants”,  
2       \$35,000,000, as follows:

3           (A) \$10,000,000 from unobligated  
4       Brownfields balances.

5           (B) \$5,000,000 from unobligated categor-  
6       ical grant balances.

7           (C) \$10,000,000 from unobligated Drink-  
8       ing Water State Revolving Funds balances.

9           (D) \$10,000,000 from unobligated Clean  
10      Water State Revolving Funds balances.

11       (b) No amounts may be rescinded under subsection  
12 (a) from amounts that were designated by the Congress  
13 as an emergency requirement pursuant to a concurrent  
14 resolution on the budget or the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16       SEC. 1705. Notwithstanding subsection (d)(2) of sec-  
17 tion 33 of the Federal Insecticide, Fungicide, and  
18 Rodenticide Act (7 U.S.C. 136w-8), the Administrator of  
19 the Environmental Protection Agency may assess pesticide  
20 registration service fees under such section for fiscal year  
21 2013.

22       SEC. 1706. Notwithstanding section 1101, the level  
23 for “Department of Agriculture, Forest Service, Wildland  
24 Fire Management” shall be \$2,444,390,000. In addition  
25 to such amount, there is appropriated \$40,000,000 for an

1 additional amount for fiscal year 2013 for such account,  
 2 to remain available until expended, for repayment to other  
 3 appropriations accounts from which funds were trans-  
 4 ferred in fiscal year 2012 for wildfire suppression.

5       SEC. 1707. The authority provided by section 331 of  
 6 the Department of the Interior and Related Agencies Ap-  
 7 propriations Act, 2000 (enacted by reference in section  
 8 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note)  
 9 shall continue in effect through the date specified in sec-  
 10 tion 1106 of this division.

11       SEC. 1708. Notwithstanding section 1101, the level  
 12 for “Presidio Trust, Presidio Trust Fund” and “Dwight  
 13 D. Eisenhower Memorial Commission, Capital Construc-  
 14 tion” shall be \$0.

15       SEC. 1709. Notwithstanding section 1101, section  
 16 408 of division E of Public Law 112–74 (125 Stat. 1038)  
 17 shall be applied to funds appropriated by this division by  
 18 substituting “112–10, and 112–74” for “112–10” and by  
 19 substituting “2012” for “2011”.

20 TITLE VIII—LABOR, HEALTH AND HUMAN  
 21 SERVICES, EDUCATION, AND RELATED  
 22 AGENCIES

23       SEC. 1801. Of the funds made available to the “De-  
 24 partment of Labor, Employment and Training Adminis-  
 25 tration” from any previous appropriations acts that re-

1 main unobligated as of the date of enactment of this divi-  
2 sion, up to \$40,000,000 may be transferred to “Employ-  
3 ment and Training Administration, Office of Job Corps”  
4 for Job Corps operations for program years 2012 and  
5 2013 and shall be in addition to any other amounts avail-  
6 able to the Office of Job Corps for such purposes: *Pro-*  
7 *vided*, That not less than \$15,000,000 shall be transferred  
8 within 30 days of enactment of this division to support  
9 Job Corps operations for the program year ending June  
10 30, 2013: *Provided further*, That, not later than 15 days  
11 after any transfer has been made under the authority of  
12 this section, the Secretary of Labor shall submit a report  
13 to the Committees on Appropriations of the House of Rep-  
14 resentatives and the Senate that details the source of the  
15 transferred funds and the specific programs, projects, or  
16 activities for which such funds will be used, and provides  
17 a detailed explanation of the need for such transfer.

18 SEC. 1802. Notwithstanding section 1101, the level  
19 for “Department of Labor, Veterans Employment and  
20 Training” shall be \$264,436,000, of which \$226,251,000  
21 shall be derived from the Employment Security Adminis-  
22 tration Account in the Unemployment Trust Fund: *Pro-*  
23 *vided*, That the level provided under such heading for Vet-  
24 erans Workforce Investment Program grants shall be used  
25 for the Transition Assistance Program and activities au-



1 thorized by the VOW to Hire Heroes Act of 2011, shall  
 2 be available through September 30, 2013, and shall be in  
 3 addition to any other funds available for those purposes:  
 4 *Provided further*, That of the level provided under such  
 5 heading, not less than \$14,000,000 shall be for the Tran-  
 6 sition Assistance Program, and \$3,414,000 shall be for  
 7 the National Veterans' Employment and Training Services  
 8 Institute.

9       SEC. 1803. The first proviso under the heading “De-  
 10 partment of Health and Human Services, Administration  
 11 for Children and Families, Low Income Home Energy As-  
 12 sistance” in division F of Public Law 112–74 shall be ap-  
 13 plied to amounts made available by this division by sub-  
 14 stituting “2013” for “2012”.

15       SEC. 1804. Notwithstanding section 1101, the level  
 16 for “Department of Health and Human Services, Admin-  
 17 istration for Children and Families, Refugee and Entrant  
 18 Assistance” shall be \$992,000,000.

19       SEC. 1805. Notwithstanding section 1101, the rescis-  
 20 sions made in sections 522 and 525 of division F of Public  
 21 Law 112–74 shall be repeated in this division with respect  
 22 to funds available for fiscal year 2013.

23       SEC. 1806. Of the amount provided by section 1101  
 24 for “Department of Education, Safe Schools and Citizen-  
 25 ship Education” for subpart 2 of part A of title IV of

1 the Elementary and Secondary Education Act of 1965,  
 2 \$3,000,000, to remain available until expended, shall be  
 3 for the Project School Emergency Response to Violence  
 4 program to provide education-related services to local edu-  
 5 cational agencies and institutions of higher education in  
 6 which the learning environment has been disrupted due  
 7 to a violent or traumatic crisis.

## 8 TITLE IX—LEGISLATIVE BRANCH

9 SEC. 1901. (a) Of the amounts made available by sec-  
 10 tion 1101 for accounts under the heading “Architect of  
 11 the Capitol”, the Architect of the Capitol may transfer an  
 12 aggregate amount of not more than \$61,247,000 to “Ar-  
 13 chitect of the Capitol, Capitol Building”, solely for ex-  
 14 penses related to the rehabilitation of the United States  
 15 Capitol Dome.

16 (b) The transfer of amounts under the authority of  
 17 subsection (a) shall be subject to the approval of the Com-  
 18 mittees on Appropriations of the House of Representatives  
 19 and Senate.

20 (c) Any amounts transferred under the authority of  
 21 subsection (a) shall remain available until expended.

## 22 TITLE X—DEPARTMENT OF STATE, FOREIGN 23 OPERATIONS, AND RELATED PROGRAMS

24 SEC. 2001. (a) Notwithstanding section 1101, the  
 25 level for the following accounts shall be as follows: “Over-

1 seas Contingency Operations/Global War on Terrorism;  
2 Department of State, Administration of Foreign Affairs,  
3 Diplomatic and Consular Programs”, \$4,169,640,000, of  
4 which \$952,695,000 is for Worldwide Security Protection  
5 (to be available until expended); and “Overseas Contingency  
6 Operations/Global War on Terrorism, Department  
7 of State, Administration of Foreign Affairs, Embassy Security,  
8 Construction, and Maintenance”, \$1,362,124,000:  
9 *Provided*, That funds made available under this subsection  
10 shall be used for operations at high threat posts, security  
11 programs to protect personnel and property under Chief  
12 of Mission authority, preventing the compromise of classified  
13 United States Government information and equipment,  
14 and security construction or upgrade requirements  
15 at Department of State facilities worldwide, including for  
16 Worldwide Security Upgrades.

17 (b) Of the unobligated balances from funds appropriated  
18 in title VIII of division I of Public Law 112–74  
19 under the heading “Overseas Contingency Operations/  
20 Global War on Terrorism, Department of State, Administration  
21 of Foreign Affairs, Diplomatic and Consular Programs” and  
22 designated by the Congress for Overseas Contingency  
23 Operations/Global War on Terrorism pursuant to  
24 section 251(b)(2)(A) of the Balanced Budget and Emer-

1 gency Deficit Control Act of 1985, \$1,109,700,000 is re-  
 2 scinded.

3       (c) The Secretary of State shall submit a report to  
 4 the Committees on Appropriations of the House of Rep-  
 5 resentatives and the Senate providing an assessment of  
 6 security requirements at United States diplomatic facili-  
 7 ties abroad, a comprehensive plan for addressing such re-  
 8 quirements, and a detailed description of embassy security  
 9 improvements to be supported from funds made available  
 10 under this section. Such report shall be submitted in un-  
 11 classified form, but may include a classified annex if ap-  
 12 propriate.

13       SEC. 2002. The amounts included in the first para-  
 14 graph under the heading “International Security Assist-  
 15 ance, Funds Appropriated to the President, Foreign Mili-  
 16 tary Financing Program” in title IV of division I of Public  
 17 Law 112–74 shall be applied to funds appropriated by this  
 18 division by substituting in the second proviso  
 19 “\$3,100,000,000” for “\$3,075,000,000” and by sub-  
 20 stituting in the fourth proviso “\$815,300,000” for  
 21 “\$808,725,000”.

22       SEC. 2003. (a) Notwithstanding section 1101, the  
 23 level for each of the following accounts shall be \$0: “Multi-  
 24 lateral Assistance, International Financial Institutions,  
 25 Contribution to the Enterprise for the Americas Multilat-

eral Investment Fund” and “Multilateral Assistance,  
International Financial Institutions, European Bank for  
Reconstruction and Development, Limitation on Callable  
Capital Subscriptions”.

(b) Notwithstanding section 1101, the level for the  
second paragraph for each of the following accounts shall  
be \$0: “Multilateral Assistance, International Financial  
Institutions, Contribution to the International Develop-  
ment Association”, “Multilateral Assistance, International  
Financial Institutions, Contribution to the Inter-American  
Development Bank”, and “Multilateral Assistance, Inter-  
national Financial Institutions, Contribution to the Afri-  
can Development Fund”.

SEC. 2004. The Foreign Operations, Export Finance-  
ing, and Related Programs Appropriations Act, 1990  
(Public Law 101-167) is amended—

(a) in section 599D (8 U.S.C. 1157 note)—

(1) in subsection (b)(3), by striking “and  
2012” and inserting “2012, and 2013”; and

(2) in subsection (c), by striking “2012” each  
place it appears and inserting “2013”; and

(b) in section 599E (8 U.S.C. 1255 note) in sub-  
section (b)(2), by striking “2012” and inserting “2013”.

SEC. 2005. Of the unexpended balances available  
under the heading “Export and Investment Assistance,

1 Export-Import Bank of the United States, Subsidy Approp-  
 2 priation” from prior Acts making appropriations for the  
 3 Department of State, foreign operations, and related pro-  
 4 grams, \$216,213,000 is rescinded.

5 TITLE XI—TRANSPORTATION, HOUSING AND  
 6 URBAN DEVELOPMENT, AND RELATED  
 7 AGENCIES

8 SEC. 2101. (a) Section 120 of division C of Public  
 9 Law 112-55 shall not apply to amounts made available  
 10 by this division.

11 (b) During the period covered by this division, section  
 12 1102 of Public Law 112-141 shall be applied—

13 (1) in subsection (a)(1), by substituting  
 14 “\$39,143,582,670” for “\$39,699,000,000”;

15 (2) in subsection (b)(10), as if the limitation  
 16 applicable through fiscal year 2011 applied through  
 17 fiscal year 2012; and

18 (3) in subsection (c)(5), by treating the ref-  
 19 erence to section 204 of title 23, United States  
 20 Code, as a reference to sections 202 and 204 of such  
 21 title.

22 SEC. 2102. Notwithstanding section 1101, the level  
 23 for “Department of Transportation, National Highway  
 24 Traffic Safety Administration, Highway Traffic Safety  
 25 Grants” shall be \$501,828,000. *Provided*, That the matter

1 under such heading in division C of Public Law 112–55  
 2 shall be applied to amounts made available by this division  
 3 as follows:

4 (1) by substituting “\$501,828,000” for  
 5 “\$550,328,000” the second place it appears;

6 (2) by substituting “23 U.S.C. 402 and 405  
 7 (‘National Priority Safety Programs’), section  
 8 31101(a)(6) of Public Law 112–141, and section  
 9 2009 of Public Law 109–59 (as amended by Public  
 10 Law 112–141)” for “23 U.S.C. 402, 405, 406, 408,  
 11 and 410 and sections 2001(a)(11), 2009, 2010, and  
 12 2011 of Public Law 109–59” each place it appears;

13 (3) by substituting “fiscal year 2013” for “fis-  
 14 cal year 2012”;

15 (4) by substituting “‘Occupant Protection  
 16 Grants’ under 23 U.S.C. 405(b)” for “‘Occupant  
 17 Protection Incentive Grants’ under 23 U.S.C. 405”;

18 (5) by substituting “\$0” for “\$48,500,000”;

19 (6) by substituting “‘State Traffic Safety In-  
 20 formation System Improvements’ under 23 U.S.C.  
 21 405(c)” for “‘State Traffic Safety Information Sys-  
 22 tem Improvements’ under 23 U.S.C. 408”;

23 (7) by substituting “‘Impaired Driving Coun-  
 24 termeasures’ under 23 U.S.C. 405(d)” for “‘Alco-

1        ~~hol-Impaired Driving Countermeasures Incentive~~  
 2        ~~Grant Program~~ under 23 U.S.C. 410”;

3            (8) by substituting “‘Administrative Expenses’  
 4        under section 31101(a)(6) of Public Law 112-141”  
 5        for “‘Administrative Expenses’ under section  
 6        2001(a)(11) of Public Law 109-59”;

7            (9) by substituting “‘Motorcyclist Safety’ under  
 8        23 U.S.C. 405(f)” for “‘Motorcyclist Safety’ under  
 9        section 2010 of Public Law 109-59”;

10          (10) by substituting “‘Occupant Protection  
 11        Grants’ under 23 U.S.C. 405(b)” for “‘Child Safety  
 12        and Child Booster Seat Safety Incentive Grants’  
 13        under section 2011 of Public Law 109-59”;

14          (11) by substituting “section 405(a)(1)(C) of  
 15        title 23, United States Code” for “section 410 ‘Alco-  
 16        hol-Impaired Driving Countermeasures Grants’”;

17          (12) by substituting “\$0” for “\$750,000”; and

18          (13) by substituting “\$0” for “\$25,000,000”.

19        SEC. 2103. The matter under the heading “Depart-  
 20        ment of Transportation, Federal Transit Administration,  
 21        Formula and Bus Grants” in division C of Public Law  
 22        112-55 shall be applied to amounts made available by this  
 23        division by substituting “49 U.S.C. 5305, 5307, 5310,  
 24        5311, 5318, 5322(d), 5335, 5337, 5339, and 5340” for  
 25        “49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316,



1 ~~5317, 5320, 5335, 5339, and 5340~~ and section ~~3038~~ of  
 2 Public Law ~~105–178~~, as amended” each place it appears.

3       ~~SEC. 2104.~~ Section ~~601(e)(1)(B)~~ of division B of  
 4 Public Law ~~110–432~~ shall be applied by substituting the  
 5 date specified in section 1106 of this division for “4 years  
 6 after such date”.

7       ~~SEC. 2105.~~ Section ~~112~~ of division C of Public Law  
 8 ~~112–55~~ shall be applied to funds appropriated by this divi-  
 9 sion by treating such section as if it were amended by  
 10 striking “49 U.S.C. 41742(b) shall not apply, and”.

11       ~~SEC. 2106.~~ The first proviso under the heading “De-  
 12 partment of Housing and Urban Development, Commu-  
 13 nity Planning and Development, Homeless Assistance  
 14 Grants” in division C of Public Law ~~112–55~~ (~~125 Stat.~~  
 15 ~~685~~) shall be applied to amounts appropriated by this divi-  
 16 sion by substituting “not more than” for “not less than”.

17       ~~SEC. 2107.~~ Notwithstanding section ~~1101~~, the level  
 18 for “Department of Housing and Urban Development,  
 19 Public and Indian Housing, Indian Housing Loan Guar-  
 20 antee Fund Program Account” shall be \$7,360,000: *Pro-*  
 21 *vided,* That the second proviso under such heading in divi-  
 22 sion C of Public Law ~~112–55~~ shall be applied to funds  
 23 appropriated by this division by substituting  
 24 “\$976,000,000” for “\$360,000,000”.

1        This division may be cited as the “Full-Year Con-  
 2        tinuing Appropriations Act, 2013”.

3        ~~DIVISION D—ACROSS-THE-BOARD REDUCTIONS~~

4        ~~SEC. 3001.~~ (a) There is hereby rescinded the applica-  
 5        ble percentage (as specified in subsection (b)) of—

6                (1) the budget authority provided (or obligation  
 7        limit imposed) for fiscal year 2013 for any discre-  
 8        tionary account in divisions A through C of this Act;

9                (2) the budget authority provided in any ad-  
 10        vance appropriation for fiscal year 2013 for any dis-  
 11        cretionary account in any prior fiscal year appro-  
 12        priation Act; and

13                (3) the contract authority provided in fiscal  
 14        year 2013 for any program subject to limitation in-  
 15        corporated or otherwise contained in divisions A  
 16        through C of this Act.

17        (b)(1) For purposes of subsection (a), the applicable  
 18        percentage shall be—

19                (A) for budget authority in the nonsecurity cat-  
 20        egory (as defined in section 250(e)(4)(A) of the Bal-  
 21        anced Budget and Emergency Deficit Control Act of  
 22        1985), 0.098 percent; and

23                (B) for budget authority in the security cat-  
 24        egory (as defined in section 250(e)(4)(B) of the Bal-

1       anced Budget and Emergency Deficit Control Act of  
2       1985), 0.109 percent.

3       (2) If, for fiscal year 2013, the amount of new budget  
4       authority provided in appropriation Acts exceeds the dis-  
5       cretionary spending limits set forth in section 251(e)(2)  
6       of the Balanced Budget and Emergency Deficit Control  
7       Act on new budget authority for any category due to esti-  
8       mating differences with the Congressional Budget Office,  
9       the Director of the Office of Management and Budget  
10      shall increase the applicable percentage in paragraph (1)  
11      with respect to that category by such amount as is nec-  
12      essary to eliminate the amount of the excess in that cat-  
13      egory.

14      (c) Any rescission made by subsection (a) shall be ap-  
15      plied proportionately—

16           (1) to each discretionary account and each item  
17           of budget authority described in such subsection;  
18           and

19           (2) within each such account and item, to each  
20           program, project, and activity (with programs,  
21           projects, and activities as delineated in the applica-  
22           ble appropriation Act or accompanying reports cov-  
23           ering such account or item).

24      (d) This section shall not apply to—

1           (1) amounts designated by the Congress for  
2       Overseas Contingency Operations/Global War on  
3       Terrorism pursuant to section 251(b)(2)(A) of the  
4       Balanced Budget and Emergency Deficit Control  
5       Act of 1985 or as being for disaster relief pursuant  
6       to section 251(b)(2)(D) of such Act; or

7           (2) the amount made available by division C of  
8       this Act for “Social Security Administration, Limita-  
9       tion on Administrative Expenses” for continuing dis-  
10      ability reviews under titles II and XVI of the Social  
11      Security Act and for the cost associated with con-  
12      ducting redeterminations of eligibility under title  
13      XVI of the Social Security Act.

14      (c) Within 30 days after the date of the enactment  
15      of this section, the Director of the Office of Management  
16      and Budget shall submit to the Committees on Appropria-  
17      tions of the House of Representatives and the Senate a  
18      report specifying the account and amount of each rescis-  
19      sion made pursuant to this section.

20      SEC. 3002. Notwithstanding any other provision of  
21      this Act, if, on or after the date of enactment of this Act,  
22      a sequestration order issued by the President pursuant to  
23      section 251A(7)(A) of the Balanced Budget and Emer-  
24      gency Deficit Control Act of 1985 is in effect, the reduc-  
25      tions in each discretionary account under such order shall

1 apply to the amounts provided in this Act consistent with  
 2 section ~~253(f)~~ of that Act, and shall be in addition to any  
 3 reductions required by section ~~251(a)~~ of that Act.

4 *SHORT TITLE*

5 *SECTION 1. This Act may be cited as the “Consolidated*  
 6 *and Further Continuing Appropriations Act, 2013”.*

7 *TABLE OF CONTENTS*

8 *SEC. 2. The table of contents of this Act is as follows:*

*Sec. 1. Short title.*  
*Sec. 2. Table of contents.*  
*Sec. 3. References.*  
*Sec. 4. Explanatory statement.*  
*Sec. 5. Availability of funds.*

*DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND  
 DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-  
 TIONS ACT, 2013*

*Title I—Agricultural Programs*  
*Title II—Conservation Programs*  
*Title III—Rural Development Programs*  
*Title IV—Domestic Food Programs*  
*Title V—Foreign Assistance and Related Programs*  
*Title VI—Related Agency and Food and Drug Administration*  
*Title VII—General provisions*

*DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2013*

*Title I—Department of Commerce*  
*Title II—Department of Justice*  
*Title III—Science*  
*Title IV—Related agencies*  
*Title V—General provisions*

*DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,  
 2013*

*Title I—Military Personnel*  
*Title II—Operation and Maintenance*  
*Title III—Procurement*  
*Title IV—Research, Development, Test and Evaluation*  
*Title V—Revolving and Management Funds*  
*Title VI—Other Department of Defense Programs*  
*Title VII—Related agencies*  
*Title VIII—General provisions*  
*Title IX—Overseas contingency operations*

*DIVISION D—DEPARTMENT OF HOMELAND SECURITY  
APPROPRIATIONS ACT, 2013*

*Title I—Departmental management and operations*  
*Title II—Security, enforcement, and investigations*  
*Title III—Protection, preparedness, response, and recovery*  
*Title IV—Research and development, training, and services*  
*Title V—General provisions*

*DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS,  
AND RELATED AGENCIES APPROPRIATIONS ACT, 2013*

*Title I—Department of Defense*  
*Title II—Department of Veterans Affairs*  
*Title III—Related agencies*  
*Title IV—Overseas contingency operations*  
*Title V—General provisions*

*DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013*

*Title I—General Provisions*  
*Title II—Energy and Water Development*  
*Title III—Financial Services and General Government*  
*Title IV—Interior, Environment, and Related Agencies*  
*Title V—Labor, Health and Human Services, and Education, and Related Agencies*  
*Title VI—Legislative Branch*  
*Title VII—Department of State, Foreign Operations, and Related Programs*  
*Title VIII—Transportation and Housing and Urban Development, and Related Agencies*

*DIVISION G—OTHER MATTERS*

1 *REFERENCES*

2       *SEC. 3. Except as expressly provided otherwise, any*  
 3 *reference to “this Act” contained in division A, B, C, D,*  
 4 *or E of this Act shall be treated as referring only to the*  
 5 *provisions of that division.*

6 *EXPLANATORY STATEMENT*

7       *SEC. 4. The explanatory statement regarding this Act*  
 8 *printed in the Senate section of the Congressional Record*  
 9 *on or about March 11, 2013, by the Chairwoman of the*  
 10 *Committee on Appropriations of the Senate shall have the*  
 11 *same effect with respect to the allocation of funds and im-*

1 *plementation of this Act as if it were a joint explanatory*  
 2 *statement of a committee of conference.*

3 *AVAILABILITY OF FUNDS*

4 *SEC. 5. Each amount designated in this Act by the*  
 5 *Congress for Overseas Contingency Operations/Global War*  
 6 *on Terrorism pursuant to section 251(b)(2)(A) of the Bal-*  
 7 *anced Budget and Emergency Deficit Control Act of 1985*  
 8 *shall be available (or rescinded, if applicable) only if the*  
 9 *President subsequently so designates all such amounts and*  
 10 *transmits such designations to the Congress.*

11 ***DIVISION A—AGRICULTURE, RURAL DE-***  
 12 ***VELOPMENT, FOOD AND DRUG ADMIN-***  
 13 ***ISTRATION, AND RELATED AGENCIES***  
 14 ***APPROPRIATIONS ACT, 2013***

15 *The following sums are hereby appropriated, out of*  
 16 *any money in the Treasury not otherwise appropriated, for*  
 17 *the fiscal year ending September 30, 2013, for Agriculture,*  
 18 *Rural Development, Food and Drug Administration, and*  
 19 *Related Agencies programs and for other purposes, namely:*

20 *TITLE I*

21 *AGRICULTURAL PROGRAMS*

22 *PRODUCTION, PROCESSING AND MARKETING*

23 *OFFICE OF THE SECRETARY*

24 *(INCLUDING TRANSFERS OF FUNDS)*

25 *For necessary expenses of the Office of the Secretary,*  
 26 *\$46,388,000, of which not to exceed \$5,051,000 shall be*

1 available for the immediate Office of the Secretary; not to  
2 exceed \$498,000 shall be available for the Office of Tribal  
3 Relations; not to exceed \$1,496,000 shall be available for  
4 the Office of Homeland Security and Emergency Coordina-  
5 tion; not to exceed \$1,422,000 shall be available for the Of-  
6 fice of Advocacy and Outreach; not to exceed \$25,046,000  
7 shall be available for the Office of the Assistant Secretary  
8 for Administration, of which \$24,242,000 shall be available  
9 for Departmental Administration to provide for necessary  
10 expenses for management support services to offices of the  
11 Department and for general administration, security, re-  
12 pairs and alterations, and other miscellaneous supplies and  
13 expenses not otherwise provided for and necessary for the  
14 practical and efficient work of the Department; not to ex-  
15 ceed \$3,869,000 shall be available for the Office of Assistant  
16 Secretary for Congressional Relations to carry out the pro-  
17 grams funded by this Act, including programs involving  
18 intergovernmental affairs and liaison within the executive  
19 branch; and not to exceed \$9,006,000 shall be available for  
20 the Office of Communications: Provided, That the Secretary  
21 of Agriculture is authorized to transfer funds appropriated  
22 for any office of the Office of the Secretary to any other  
23 office of the Office of the Secretary: Provided further, That  
24 no appropriation for any office shall be increased or de-  
25 creased by more than 5 percent: Provided further, That not



1 to exceed \$11,000 of the amount made available under this  
 2 paragraph for the immediate Office of the Secretary shall  
 3 be available for official reception and representation ex-  
 4 penses, not otherwise provided for, as determined by the  
 5 Secretary: Provided further, That the amount made avail-  
 6 able under this heading for Departmental Administration  
 7 shall be reimbursed from applicable appropriations in this  
 8 Act for travel expenses incident to the holding of hearings  
 9 as required by 5 U.S.C. 551–558: Provided further, That  
 10 funds made available under this heading for the Office of  
 11 Assistant Secretary for Congressional Relations may be  
 12 transferred to agencies of the Department of Agriculture  
 13 funded by this Act to maintain personnel at the agency  
 14 level: Provided further, That no funds made available under  
 15 this heading for the Office of Assistant Secretary for Con-  
 16 gressional Relations may be obligated after 30 days from  
 17 the date of enactment of this Act, unless the Secretary has  
 18 notified the Committees on Appropriations of both Houses  
 19 of Congress on the allocation of these funds by USDA agen-  
 20 cy.

## 21 EXECUTIVE OPERATIONS

### 22 OFFICE OF THE CHIEF ECONOMIST

23 For necessary expenses of the Office of the Chief Econo-  
 24 mist, \$16,008,000, of which \$4,000,000 shall be for grants  
 25 or cooperative agreements for policy research under 7

1 *U.S.C. 3155 and shall be obligated within 90 days of the*  
2 *enactment of this Act.*

3 *NATIONAL APPEALS DIVISION*

4 *For necessary expenses of the National Appeals Divi-*  
5 *sion, \$14,225,000.*

6 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

7 *For necessary expenses of the Office of Budget and Pro-*  
8 *gram Analysis, \$9,049,000.*

9 *OFFICE OF THE CHIEF INFORMATION OFFICER*

10 *For necessary expenses of the Office of the Chief Infor-*  
11 *mation Officer, \$44,031,000.*

12 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

13 *For necessary expenses of the Office of the Chief Finan-*  
14 *cial Officer, \$6,247,000: Provided, That no funds made*  
15 *available by this appropriation may be obligated for FAIR*  
16 *Act or Circular A-76 activities until the Secretary has sub-*  
17 *mitted to the Committees on Appropriations of both Houses*  
18 *of Congress and the Committee on Oversight and Govern-*  
19 *ment Reform of the House of Representatives a report on*  
20 *the Department's contracting out policies, including agency*  
21 *budgets for contracting out.*

22 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

23 *RIGHTS*

24 *For necessary expenses of the Office of the Assistant*  
25 *Secretary for Civil Rights, \$893,000.*

1                                    *OFFICE OF CIVIL RIGHTS*

2            *For necessary expenses of the Office of Civil Rights,*  
3   *\$22,692,000.*

4    *AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL*  
5                                    *PAYMENTS*

6                                    *(INCLUDING TRANSFERS OF FUNDS)*

7            *For payment of space rental and related costs pursu-*  
8   *ant to Public Law 92–313, including authorities pursuant*  
9   *to the 1984 delegation of authority from the Administrator*  
10   *of General Services to the Department of Agriculture under*  
11   *40 U.S.C. 486, for programs and activities of the Depart-*  
12   *ment which are included in this Act, and for alterations*  
13   *and other actions needed for the Department and its agen-*  
14   *cies to consolidate unneeded space into configurations suit-*  
15   *able for release to the Administrator of General Services,*  
16   *and for the operation, maintenance, improvement, and re-*  
17   *pair of Agriculture buildings and facilities, and for related*  
18   *costs, \$271,336,000, to remain available until expended, of*  
19   *which \$175,694,000 shall be available for payments to the*  
20   *General Services Administration for rent; of which*  
21   *\$13,473,000 is for payments to the Department of Home-*  
22   *land Security for building security activities; and of which*  
23   *\$82,169,000 is for buildings operations and maintenance*  
24   *expenses: Provided, That the Secretary may use unobligated*  
25   *prior year balances of an agency or office that are no longer*

1 *available for new obligation to cover shortfalls incurred in*  
2 *prior year rental payments for such agency or office: Pro-*  
3 *vided further, That the Secretary is authorized to transfer*  
4 *funds from a Departmental agency to this account to re-*  
5 *cover the full cost of the space and security expenses of that*  
6 *agency that are funded by this account when the actual*  
7 *costs exceed the agency estimate which will be available for*  
8 *the activities and payments described herein.*

9 *HAZARDOUS MATERIALS MANAGEMENT*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For necessary expenses of the Department of Agri-*  
12 *culture, to comply with the Comprehensive Environmental*  
13 *Response, Compensation, and Liability Act (42 U.S.C.*  
14 *9601 et seq.) and the Resource Conservation and Recovery*  
15 *Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain avail-*  
16 *able until expended: Provided, That appropriations and*  
17 *funds available herein to the Department for Hazardous*  
18 *Materials Management may be transferred to any agency*  
19 *of the Department for its use in meeting all requirements*  
20 *pursuant to the above Acts on Federal and non-Federal*  
21 *lands.*

22 *OFFICE OF INSPECTOR GENERAL*

23 *For necessary expenses of the Office of Inspector Gen-*  
24 *eral, including employment pursuant to the Inspector Gen-*  
25 *eral Act of 1978, \$89,016,000, including such sums as may*

1 *be necessary for contracting and other arrangements with*  
2 *public agencies and private persons pursuant to section*  
3 *6(a)(9) of the Inspector General Act of 1978, and including*  
4 *not to exceed \$125,000 for certain confidential operational*  
5 *expenses, including the payment of informants, to be ex-*  
6 *pended under the direction of the Inspector General pursu-*  
7 *ant to Public Law 95-452 and section 1337 of Public Law*  
8 *97-98.*

9 *OFFICE OF THE GENERAL COUNSEL*

10 *For necessary expenses of the Office of the General*  
11 *Counsel, \$45,074,000.*

12 *OFFICE OF ETHICS*

13 *For necessary expenses of the Office of Ethics,*  
14 *\$3,405,000.*

15 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*

16 *EDUCATION AND ECONOMICS*

17 *For necessary expenses of the Office of the Under Sec-*  
18 *retary for Research, Education and Economics, \$893,000.*

19 *ECONOMIC RESEARCH SERVICE*

20 *For necessary expenses of the Economic Research Serv-*  
21 *ice, \$77,397,000.*

22 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

23 *For necessary expenses of the National Agricultural*  
24 *Statistics Service, \$179,477,000, of which up to \$62,500,000*

1 *shall be available until expended for the Census of Agri-*  
2 *culture.*

3 *AGRICULTURAL RESEARCH SERVICE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Agricultural Research*  
6 *Service and for acquisition of lands by donation, exchange,*  
7 *or purchase at a nominal cost not to exceed \$100, and for*  
8 *land exchanges where the lands exchanged shall be of equal*  
9 *value or shall be equalized by a payment of money to the*  
10 *grantor which shall not exceed 25 percent of the total value*  
11 *of the land or interests transferred out of Federal ownership,*  
12 *\$1,101,853,000: Provided, That appropriations hereunder*  
13 *shall be available for the operation and maintenance of air-*  
14 *craft and the purchase of not to exceed one for replacement*  
15 *only: Provided further, That appropriations hereunder shall*  
16 *be available pursuant to 7 U.S.C. 2250 for the construction,*  
17 *alteration, and repair of buildings and improvements, but*  
18 *unless otherwise provided, the cost of constructing any one*  
19 *building shall not exceed \$375,000, except for headhouses*  
20 *or greenhouses which shall each be limited to \$1,200,000,*  
21 *and except for 10 buildings to be constructed or improved*  
22 *at a cost not to exceed \$750,000 each, and the cost of alter-*  
23 *ing any one building during the fiscal year shall not exceed*  
24 *10 percent of the current replacement value of the building*  
25 *or \$375,000, whichever is greater: Provided further, That*

1 *the limitations on alterations contained in this Act shall*  
2 *not apply to modernization or replacement of existing fa-*  
3 *cilities at Beltsville, Maryland: Provided further, That ap-*  
4 *propriations hereunder shall be available for granting ease-*  
5 *ments at the Beltsville Agricultural Research Center: Pro-*  
6 *vided further, That the foregoing limitations shall not apply*  
7 *to replacement of buildings needed to carry out the Act of*  
8 *April 24, 1948 (21 U.S.C. 113a): Provided further, That*  
9 *appropriations hereunder shall be available for granting*  
10 *easements at any Agricultural Research Service location for*  
11 *the construction of a research facility by a non-Federal enti-*  
12 *ty for use by, and acceptable to, the Agricultural Research*  
13 *Service and a condition of the easements shall be that upon*  
14 *completion the facility shall be accepted by the Secretary,*  
15 *subject to the availability of funds herein, if the Secretary*  
16 *finds that acceptance of the facility is in the interest of the*  
17 *United States: Provided further, That section 732(b) of divi-*  
18 *sion A of Public Law 112–55 (125 Stat. 587) is amended*  
19 *by adding at the end the following new sentence: “The con-*  
20 *veyance authority provided by this subsection expires Sep-*  
21 *tember 30, 2013, and all conveyances under this subsection*  
22 *must be completed by that date.”: Provided further, That*  
23 *funds may be received from any State, other political sub-*  
24 *division, organization, or individual for the purpose of es-*  
25 *tablishing or operating any research facility or research*

1 *project of the Agricultural Research Service, as authorized*  
2 *by law.*

3 *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*

4 *RESEARCH AND EDUCATION ACTIVITIES*

5 *For payments to agricultural experiment stations, for*  
6 *cooperative forestry and other research, for facilities, and*  
7 *for other expenses, \$738,638,000, which shall be for the pur-*  
8 *poses, and in the amounts, specified in the table titled “Na-*  
9 *tional Institute of Food and Agriculture, Research and*  
10 *Education Activities” in the report accompanying this Act:*  
11 *Provided, That funds for research grants for 1994 institu-*  
12 *tions, education grants for 1890 institutions, capacity*  
13 *building for non-land-grant colleges of agriculture, the agri-*  
14 *culture and food research initiative, Critical Agricultural*  
15 *Materials Act, veterinary medicine loan repayment, multi-*  
16 *cultural scholars, graduate fellowship and institution chal-*  
17 *lenge grants, and grants management systems shall remain*  
18 *available until expended: Provided further, That each insti-*  
19 *tution eligible to receive funds under the Evans-Allen pro-*  
20 *gram receives no less than \$1,000,000: Provided further,*  
21 *That funds for education grants for Alaska Native and Na-*  
22 *tive Hawaiian-serving institutions be made available to in-*  
23 *dividual eligible institutions or consortia of eligible institu-*  
24 *tions with funds awarded equally to each of the States of*  
25 *Alaska and Hawaii: Provided further, That funds for edu-*



1 cation grants for 1890 institutions shall be made available  
2 to institutions eligible to receive funds under 7 U.S.C. 3221  
3 and 3222.

4 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

5 *For the Native American Institutions Endowment*  
6 *Fund authorized by Public Law 103–382 (7 U.S.C. 301*  
7 *note), \$11,880,000, to remain available until expended.*

8 *EXTENSION ACTIVITIES*

9 *For payments to States, the District of Columbia,*  
10 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*  
11 *Northern Marianas, and American Samoa, \$475,854,000,*  
12 *which shall be for the purposes, and in the amounts, speci-*  
13 *fied in the table titled “National Institute of Food and Agri-*  
14 *culture, Extension Activities” in the report accompanying*  
15 *this Act: Provided, That funds for facility improvements at*  
16 *1890 institutions shall remain available until expended:*  
17 *Provided further, That institutions eligible to receive funds*  
18 *under 7 U.S.C. 3221 for cooperative extension receive no*  
19 *less than \$1,000,000: Provided further, That funds for coop-*  
20 *erative extension under sections 3(b) and (c) of the Smith-*  
21 *Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of*  
22 *Public Law 93–471 shall be available for retirement and*  
23 *employees’ compensation costs for extension agents.*

1                                    *INTEGRATED ACTIVITIES*

2            *For the integrated research, education, and extension*  
3 *grants programs, including necessary administrative ex-*  
4 *penses, \$21,482,000, which shall be for the purposes, and*  
5 *in the amounts, specified in the table titled “National Insti-*  
6 *tute of Food and Agriculture, Integrated Activities” in the*  
7 *report accompanying this Act: Provided, That funds for the*  
8 *Food and Agriculture Defense Initiative shall remain avail-*  
9 *able until September 30, 2014.*

10    *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*  
11                                    *REGULATORY PROGRAMS*

12            *For necessary expenses of the Office of the Under Sec-*  
13 *retary for Marketing and Regulatory Programs, \$893,000.*

14            *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

15                                    *SALARIES AND EXPENSES*

16                                    *(INCLUDING TRANSFERS OF FUNDS)*

17            *For necessary expenses of the Animal and Plant*  
18 *Health Inspection Service, including up to \$30,000 for rep-*  
19 *resentation allowances and for expenses pursuant to the*  
20 *Foreign Service Act of 1980 (22 U.S.C. 4085),*  
21 *\$821,851,000, of which \$1,500,000, to remain available*  
22 *until expended, shall be available for the control of out-*  
23 *breaks of insects, plant diseases, animal diseases and for*  
24 *control of pest animals and birds (“contingency fund”) to*  
25 *the extent necessary to meet emergency conditions; of which*

1 \$15,970,000, to remain available until expended, shall be  
2 used for the cotton pests program for cost share purposes  
3 or for debt retirement for active eradication zones; of which  
4 \$36,858,000, to remain available until expended, shall be  
5 for Animal Health Technical Services; of which \$696,000  
6 shall be for activities under the authority of the Horse Pro-  
7 tection Act of 1970, as amended (15 U.S.C. 1831); of which  
8 \$52,000,000, to remain available until expended, shall be  
9 used to support avian health; of which \$4,335,000, to re-  
10 main available until expended, shall be for information  
11 technology infrastructure; of which \$153,950,000, to remain  
12 available until expended, shall be for specialty crop pests;  
13 of which, \$9,068,000, to remain available until expended,  
14 shall be for field crop and rangeland ecosystem pests; of  
15 which \$56,638,000, to remain available until expended,  
16 shall be for tree and wood pests; of which \$2,750,000, to  
17 remain available until expended, shall be for the National  
18 Veterinary Stockpile; of which up to \$1,500,000, to remain  
19 available until expended, shall be for the scrapie program  
20 for indemnities; of which \$1,500,000, to remain available  
21 until expended, shall be for the wildlife damage manage-  
22 ment program for aviation safety: Provided, That of  
23 amounts available under this heading for wildlife services  
24 methods development, \$1,000,000 shall remain available  
25 until expended: Provided further, That of amounts available

1 under this heading for the screwworm program, \$4,971,000  
2 shall remain available until expended: Provided further,  
3 That no funds shall be used to formulate or administer a  
4 brucellosis eradication program for the current fiscal year  
5 that does not require minimum matching by the States of  
6 at least 40 percent: Provided further, That this appropria-  
7 tion shall be available for the operation and maintenance  
8 of aircraft and the purchase of not to exceed four, of which  
9 two shall be for replacement only: Provided further, That  
10 in addition, in emergencies which threaten any segment of  
11 the agricultural production industry of this country, the  
12 Secretary may transfer from other appropriations or funds  
13 available to the agencies or corporations of the Department  
14 such sums as may be deemed necessary, to be available only  
15 in such emergencies for the arrest and eradication of con-  
16 tagious or infectious disease or pests of animals, poultry,  
17 or plants, and for expenses in accordance with sections  
18 10411 and 10417 of the Animal Health Protection Act (7  
19 U.S.C. 8310 and 8316) and sections 431 and 442 of the  
20 Plant Protection Act (7 U.S.C. 7751 and 7772), and any  
21 unexpended balances of funds transferred for such emer-  
22 gency purposes in the preceding fiscal year shall be merged  
23 with such transferred amounts: Provided further, That ap-  
24 propriations hereunder shall be available pursuant to law  
25 (7 U.S.C. 2250) for the repair and alteration of leased

1 *buildings and improvements, but unless otherwise provided*  
2 *the cost of altering any one building during the fiscal year*  
3 *shall not exceed 10 percent of the current replacement value*  
4 *of the building.*

5 *In fiscal year 2013, the agency is authorized to collect*  
6 *fees to cover the total costs of providing technical assistance,*  
7 *goods, or services requested by States, other political sub-*  
8 *divisions, domestic and international organizations, foreign*  
9 *governments, or individuals, provided that such fees are*  
10 *structured such that any entity's liability for such fees is*  
11 *reasonably based on the technical assistance, goods, or serv-*  
12 *ices provided to the entity by the agency, and such fees shall*  
13 *be reimbursed to this account, to remain available until ex-*  
14 *pended, without further appropriation, for providing such*  
15 *assistance, goods, or services.*

16 *BUILDINGS AND FACILITIES*

17 *For plans, construction, repair, preventive mainte-*  
18 *nance, environmental support, improvement, extension, al-*  
19 *teration, and purchase of fixed equipment or facilities, as*  
20 *authorized by 7 U.S.C. 2250, and acquisition of land as*  
21 *authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-*  
22 *able until expended.*

1                    *AGRICULTURAL MARKETING SERVICE*

2                    *MARKETING SERVICES*

3            *For necessary expenses of the Agricultural Marketing*  
4 *Service, \$78,863,000: Provided, That this appropriation*  
5 *shall be available pursuant to law (7 U.S.C. 2250) for the*  
6 *alteration and repair of buildings and improvements, but*  
7 *the cost of altering any one building during the fiscal year*  
8 *shall not exceed 10 percent of the current replacement value*  
9 *of the building.*

10          *Fees may be collected for the cost of standardization*  
11 *activities, as established by regulation pursuant to law (31*  
12 *U.S.C. 9701).*

13                    *LIMITATION ON ADMINISTRATIVE EXPENSES*

14          *Not to exceed \$62,592,000 (from fees collected) shall be*  
15 *obligated during the current fiscal year for administrative*  
16 *expenses: Provided, That if crop size is understated and/*  
17 *or other uncontrollable events occur, the agency may exceed*  
18 *this limitation by up to 10 percent with notification to the*  
19 *Committees on Appropriations of both Houses of Congress.*

20                    *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

21                    *SUPPLY (SECTION 32)*

22                    *(INCLUDING TRANSFERS OF FUNDS)*

23          *Funds available under section 32 of the Act of August*  
24 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*  
25 *program expenses as authorized therein, and other related*

1 *operating expenses, except for: (1) transfers to the Depart-*  
2 *ment of Commerce as authorized by the Fish and Wildlife*  
3 *Act of August 8, 1956; (2) transfers otherwise provided in*  
4 *this Act; and (3) not more than \$20,056,000 for formulation*  
5 *and administration of marketing agreements and orders*  
6 *pursuant to the Agricultural Marketing Agreement Act of*  
7 *1937 and the Agricultural Act of 1961.*

8 *PAYMENTS TO STATES AND POSSESSIONS*

9 *For payments to departments of agriculture, bureaus*  
10 *and departments of markets, and similar agencies for mar-*  
11 *keting activities under section 204(b) of the Agricultural*  
12 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,331,000.*

13 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

14 *ADMINISTRATION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Grain Inspection, Pack-*  
17 *ers and Stockyards Administration, \$40,261,000: Provided,*  
18 *That this appropriation shall be available pursuant to law*  
19 *(7 U.S.C. 2250) for the alteration and repair of buildings*  
20 *and improvements, but the cost of altering any one building*  
21 *during the fiscal year shall not exceed 10 percent of the cur-*  
22 *rent replacement value of the building.*

1     *LIMITATION ON INSPECTION AND WEIGHING SERVICES*2                     *EXPENSES*

3         *Not to exceed \$50,000,000 (from fees collected) shall be*  
4 *obligated during the current fiscal year for inspection and*  
5 *weighing services: Provided, That if grain export activities*  
6 *require additional supervision and oversight, or other un-*  
7 *controllable factors occur, this limitation may be exceeded*  
8 *by up to 10 percent with notification to the Committees*  
9 *on Appropriations of both Houses of Congress.*

10    *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

11         *For necessary expenses of the Office of the Under Sec-*  
12 *retary for Food Safety, \$811,000.*

13                     *FOOD SAFETY AND INSPECTION SERVICE*

14         *For necessary expenses to carry out services authorized*  
15 *by the Federal Meat Inspection Act, the Poultry Products*  
16 *Inspection Act, and the Egg Products Inspection Act, in-*  
17 *cluding not to exceed \$50,000 for representation allowances*  
18 *and for expenses pursuant to section 8 of the Act approved*  
19 *August 3, 1956 (7 U.S.C. 1766), \$1,001,427,000; and in*  
20 *addition, \$1,000,000 may be credited to this account from*  
21 *fees collected for the cost of laboratory accreditation as au-*  
22 *thorized by section 1327 of the Food, Agriculture, Conserva-*  
23 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*  
24 *funds provided for the Public Health Data Communication*  
25 *Infrastructure system shall remain available until ex-*



1 *pended: Provided further, That no fewer than 148 full-time*  
 2 *equivalent positions shall be employed during fiscal year*  
 3 *2013 for purposes dedicated solely to inspections and en-*  
 4 *forcement related to the Humane Methods of Slaughter Act:*  
 5 *Provided further, That the Food Safety and Inspection*  
 6 *Service shall continue implementation of section 11016 of*  
 7 *Public Law 110–246: Provided further, That this appro-*  
 8 *priation shall be available pursuant to law (7 U.S.C. 2250)*  
 9 *for the alteration and repair of buildings and improve-*  
 10 *ments, but the cost of altering any one building during the*  
 11 *fiscal year shall not exceed 10 percent of the current replace-*  
 12 *ment value of the building.*

13 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*  
 14 *FOREIGN AGRICULTURAL SERVICES*

15 *For necessary expenses of the Office of the Under Sec-*  
 16 *retary for Farm and Foreign Agricultural Services,*  
 17 *\$893,000.*

18 *FARM SERVICE AGENCY*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary expenses of the Farm Service Agency,*  
 22 *\$1,208,290,000: Provided, That the Secretary is authorized*  
 23 *to use the services, facilities, and authorities (but not the*  
 24 *funds) of the Commodity Credit Corporation to make pro-*  
 25 *gram payments for all programs administered by the Agen-*

1 *cy: Provided further, That other funds made available to*  
 2 *the Agency for authorized activities may be advanced to and*  
 3 *merged with this account: Provided further, That funds*  
 4 *made available to county committees shall remain available*  
 5 *until expended.*

6 *STATE MEDIATION GRANTS*

7 *For grants pursuant to section 502(b) of the Agricul-*  
 8 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*  
 9 *\$4,369,000.*

10 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

11 *For necessary expenses to carry out wellhead or*  
 12 *groundwater protection activities under section 1240O of*  
 13 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*  
 14 *\$5,500,000, to remain available until expended.*

15 *DAIRY INDEMNITY PROGRAM*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses involved in making indemnity*  
 18 *payments to dairy farmers and manufacturers of dairy*  
 19 *products under a dairy indemnity program, such sums as*  
 20 *may be necessary, to remain available until expended: Pro-*  
 21 *vided, That such program is carried out by the Secretary*  
 22 *in the same manner as the dairy indemnity program de-*  
 23 *scribed in the Agriculture, Rural Development, Food and*  
 24 *Drug Administration, and Related Agencies Appropria-*

1 *tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–*  
 2 *12).*

3 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For gross obligations for the principal amount of di-*  
 7 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*  
 8 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*  
 9 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*  
 10 *loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989),*  
 11 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), and*  
 12 *Indian highly fractionated land loans (25 U.S.C. 488) to*  
 13 *be available from funds in the Agricultural Credit Insur-*  
 14 *ance Fund, as follows: \$1,500,000,000 for guaranteed farm*  
 15 *ownership loans and \$475,000,000 for farm ownership di-*  
 16 *rect loans; \$1,500,000,000 for unsubsidized guaranteed op-*  
 17 *erating loans and \$1,050,090,000 for direct operating loans;*  
 18 *emergency loans, \$34,658,000; Indian tribe land acquisi-*  
 19 *tion loans, \$2,000,000; guaranteed conservation loans,*  
 20 *\$150,000,000; Indian highly fractionated land loans,*  
 21 *\$10,000,000; and for boll weevil eradication program loans,*  
 22 *\$100,000,000: Provided, That the Secretary shall deem the*  
 23 *pink bollworm to be a boll weevil for the purpose of boll*  
 24 *weevil eradication program loans.*

1       *For the cost of direct and guaranteed loans and grants,*  
2 *including the cost of modifying loans as defined in section*  
3 *502 of the Congressional Budget Act of 1974, as follows:*  
4 *farm ownership, \$20,140,000 for direct loans; farm oper-*  
5 *ating loans, \$58,490,000 for direct operating loans,*  
6 *\$17,850,000 for unsubsidized guaranteed operating loans,*  
7 *emergency loans, \$1,317,000, to remain available until ex-*  
8 *ended; and Indian highly fractionated land loans,*  
9 *\$173,000.*

10       *In addition, for administrative expenses necessary to*  
11 *carry out the direct and guaranteed loan programs,*  
12 *\$312,897,000, of which \$304,977,000 shall be transferred to*  
13 *and merged with the appropriation for “Farm Service*  
14 *Agency, Salaries and Expenses”.*

15       *Funds appropriated by this Act to the Agricultural*  
16 *Credit Insurance Program Account for farm ownership, op-*  
17 *erating and conservation direct loans and guaranteed loans*  
18 *may be transferred among these programs: Provided, That*  
19 *the Committees on Appropriations of both Houses of Con-*  
20 *gress are notified at least 15 days in advance of any trans-*  
21 *fer.*

22                               *RISK MANAGEMENT AGENCY*

23       *For necessary expenses of the Risk Management Agen-*  
24 *cy, \$74,900,000: Provided, That the funds made available*  
25 *under section 522(e) of the Federal Crop Insurance Act (7*

1 *U.S.C. 1522(e)) may be used for the Common Information*  
 2 *Management System: Provided further, That not to exceed*  
 3 *\$1,000 shall be available for official reception and represen-*  
 4 *tation expenses, as authorized by 7 U.S.C. 1506(i).*

5 **CORPORATIONS**

6 *The following corporations and agencies are hereby au-*  
 7 *thorized to make expenditures, within the limits of funds*  
 8 *and borrowing authority available to each such corporation*  
 9 *or agency and in accord with law, and to make contracts*  
 10 *and commitments without regard to fiscal year limitations*  
 11 *as provided by section 104 of the Government Corporation*  
 12 *Control Act as may be necessary in carrying out the pro-*  
 13 *grams set forth in the budget for the current fiscal year for*  
 14 *such corporation or agency, except as hereinafter provided.*

15 **FEDERAL CROP INSURANCE CORPORATION FUND**

16 *For payments as authorized by section 516 of the Fed-*  
 17 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*  
 18 *be necessary, to remain available until expended.*

19 **COMMODITY CREDIT CORPORATION FUND**

20 **REIMBURSEMENT FOR NET REALIZED LOSSES**

21 **(INCLUDING TRANSFERS OF FUNDS)**

22 *For the current fiscal year, such sums as may be nec-*  
 23 *essary to reimburse the Commodity Credit Corporation for*  
 24 *net realized losses sustained, but not previously reimbursed,*  
 25 *pursuant to section 2 of the Act of August 17, 1961 (15*

1 *U.S.C. 713a–11): Provided, That of the funds available to*  
 2 *the Commodity Credit Corporation under section 11 of the*  
 3 *Commodity Credit Corporation Charter Act (15 U.S.C.*  
 4 *714i) for the conduct of its business with the Foreign Agri-*  
 5 *cultural Service, up to \$5,000,000 may be transferred to*  
 6 *and used by the Foreign Agricultural Service for informa-*  
 7 *tion resource management activities of the Foreign Agricul-*  
 8 *tural Service that are not related to Commodity Credit Cor-*  
 9 *poration business.*

10 *HAZARDOUS WASTE MANAGEMENT*

11 *(LIMITATION ON EXPENSES)*

12 *For the current fiscal year, the Commodity Credit Cor-*  
 13 *poration shall not expend more than \$5,000,000 for site in-*  
 14 *vestigation and cleanup expenses, and operations and*  
 15 *maintenance expenses to comply with the requirement of*  
 16 *section 107(g) of the Comprehensive Environmental Re-*  
 17 *sponse, Compensation, and Liability Act (42 U.S.C.*  
 18 *9607(g)), and section 6001 of the Resource Conservation*  
 19 *and Recovery Act (42 U.S.C. 6961).*

20 *TITLE II*

21 *CONSERVATION PROGRAMS*

22 *OFFICE OF THE UNDER SECRETARY FOR NATURAL*  
 23 *RESOURCES AND ENVIRONMENT*

24 *For necessary expenses of the Office of the Under Sec-*  
 25 *retary for Natural Resources and Environment, \$893,000.*

1        *NATURAL RESOURCES CONSERVATION SERVICE*2                    *CONSERVATION OPERATIONS*

3        *For necessary expenses for carrying out the provisions*  
4 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*  
5 *preparation of conservation plans and establishment of*  
6 *measures to conserve soil and water (including farm irriga-*  
7 *tion and land drainage and such special measures for soil*  
8 *and water management as may be necessary to prevent*  
9 *floods and the siltation of reservoirs and to control agricul-*  
10 *tural related pollutants); operation of conservation plant*  
11 *materials centers; classification and mapping of soil; dis-*  
12 *semination of information; acquisition of lands, water, and*  
13 *interests therein for use in the plant materials program by*  
14 *donation, exchange, or purchase at a nominal cost not to*  
15 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*  
16 *428a); purchase and erection or alteration or improvement*  
17 *of permanent and temporary buildings; and operation and*  
18 *maintenance of aircraft, \$830,998,000, to remain available*  
19 *until September 30, 2014: Provided, That appropriations*  
20 *hereunder shall be available pursuant to 7 U.S.C. 2250 for*  
21 *construction and improvement of buildings and public im-*  
22 *provements at plant materials centers, except that the cost*  
23 *of alterations and improvements to other buildings and*  
24 *other public improvements shall not exceed \$250,000: Pro-*  
25 *vided further, That when buildings or other structures are*

1 *erected on non-Federal land, that the right to use such land*  
 2 *is obtained as provided in 7 U.S.C. 2250a.*

3 *WATERSHED REHABILITATION PROGRAM*

4 *Under the authorities of section 14 of the Watershed*  
 5 *Protection and Flood Prevention Act, \$14,700,000 is pro-*  
 6 *vided.*

7 *TITLE III*

8 *RURAL DEVELOPMENT PROGRAMS*

9 *OFFICE OF THE UNDER SECRETARY FOR RURAL*  
 10 *DEVELOPMENT*

11 *For necessary expenses of the Office of the Under Sec-*  
 12 *retary for Rural Development, \$893,000.*

13 *RURAL DEVELOPMENT SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses for carrying out the adminis-*  
 16 *tration and implementation of programs in the Rural De-*  
 17 *velopment mission area, including activities with institu-*  
 18 *tions concerning the development and operation of agricul-*  
 19 *tural cooperatives; and for cooperative agreements;*  
 20 *\$206,857,000: Provided, That notwithstanding any other*  
 21 *provision of law, funds appropriated under this heading*  
 22 *may be used for advertising and promotional activities that*  
 23 *support the Rural Development mission area: Provided fur-*  
 24 *ther, That any balances available from prior years for the*  
 25 *Rural Utilities Service, Rural Housing Service, and the*



1 *Rural Business—Cooperative Service salaries and expenses*  
 2 *accounts shall be transferred to and merged with this appro-*  
 3 *priation.*

4 *RURAL HOUSING SERVICE*

5 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For gross obligations for the principal amount of di-*  
 8 *rect and guaranteed loans as authorized by title V of the*  
 9 *Housing Act of 1949, to be available from funds in the rural*  
 10 *housing insurance fund, as follows: \$900,000,000 shall be*  
 11 *for direct loans and \$24,000,000,000 shall be for unsub-*  
 12 *sidized guaranteed loans; \$27,952,000 for section 504 hous-*  
 13 *ing repair loans; \$31,277,000 for section 515 rental hous-*  
 14 *ing; \$150,000,000 for section 538 guaranteed multi-family*  
 15 *housing loans; \$10,000,000 for credit sales of single family*  
 16 *housing acquired property; and \$5,000,000 for section 523*  
 17 *self-help housing land development loans.*

18 *For the cost of direct and guaranteed loans, including*  
 19 *the cost of modifying loans, as defined in section 502 of*  
 20 *the Congressional Budget Act of 1974, as follows: section*  
 21 *502 loans, \$53,730,000 shall be for direct loans; section 504*  
 22 *housing repair loans, \$3,821,000; and repair, rehabilita-*  
 23 *tion, and new construction of section 515 rental housing,*  
 24 *\$11,000,000: Provided, That to support the loan program*  
 25 *level for section 538 guaranteed loans made available under*

1 *this heading the Secretary may charge or adjust any fees*  
2 *to cover the projected cost of such loan guarantees pursuant*  
3 *to the provisions of the Credit Reform Act of 1990 (2 U.S.C.*  
4 *661 et seq.), and the interest on such loans may not be sub-*  
5 *sidized: Provided further, That applicants in communities*  
6 *that have a current rural area waiver under section 541*  
7 *of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treat-*  
8 *ed as living in a rural area for purposes of section 502*  
9 *guaranteed loans provided under this heading: Provided*  
10 *further, That of the total amount appropriated in this para-*  
11 *graph, the amount equal to the amount of Rural Housing*  
12 *Insurance Fund Program Account funds allocated by the*  
13 *Secretary for Rural Economic Area Partnership Zones for*  
14 *the fiscal year 2012, shall be available through June 30,*  
15 *2013, for communities designated by the Secretary of Agri-*  
16 *culture as Rural Economic Area Partnership Zones: Pro-*  
17 *vided further, That of the amounts available under this*  
18 *paragraph for section 502 direct loans, no less than*  
19 *\$5,000,000 shall be available for direct loans for individuals*  
20 *whose homes will be built pursuant to a program funded*  
21 *with a mutual and self help housing grant authorized by*  
22 *section 523 of the Housing Act of 1949 until June 1, 2013.*  
23 *In addition, for the cost of direct loans, grants, and*  
24 *contracts, as authorized by 42 U.S.C. 1484 and 1486,*  
25 *\$16,526,000, to remain available until expended, for direct*

1 *farm labor housing loans and domestic farm labor housing*  
2 *grants and contracts: Provided, That any balances avail-*  
3 *able for the Farm Labor Program Account shall be trans-*  
4 *ferred to and merged with this account.*

5 *In addition, for administrative expenses necessary to*  
6 *carry out the direct and guaranteed loan programs,*  
7 *\$410,627,000 shall be transferred to and merged with the*  
8 *appropriation for “Rural Development, Salaries and Ex-*  
9 *penses”.*

10 *RENTAL ASSISTANCE PROGRAM*

11 *For rental assistance agreements entered into or re-*  
12 *newed pursuant to the authority under section 521(a)(2)*  
13 *or agreements entered into in lieu of debt forgiveness or*  
14 *payments for eligible households as authorized by section*  
15 *502(c)(5)(D) of the Housing Act of 1949, \$907,128,000;*  
16 *and, in addition, such sums as may be necessary, as author-*  
17 *ized by section 521(c) of the Act, to liquidate debt incurred*  
18 *prior to fiscal year 1992 to carry out the rental assistance*  
19 *program under section 521(a)(2) of the Act: Provided, That*  
20 *of this amount not less than \$3,000,000 is available for*  
21 *newly constructed units financed under sections 514 and*  
22 *516 of the Housing Act of 1949: Provided further, That*  
23 *rental assistance agreements entered into or renewed during*  
24 *the current fiscal year shall be funded for a 1-year period:*  
25 *Provided further, That any unexpended balances remaining*

1 *at the end of such 1-year agreements may be transferred*  
 2 *and used for the purposes of any debt reduction; mainte-*  
 3 *nance, repair, or rehabilitation of any existing projects;*  
 4 *preservation; and rental assistance activities authorized*  
 5 *under title V of the Act: Provided further, That rental as-*  
 6 *sistance provided under agreements entered into prior to*  
 7 *fiscal year 2013 for a farm labor multi-family housing*  
 8 *project financed under section 514 or 516 of the Act may*  
 9 *not be recaptured for use in another project until such as-*  
 10 *sistance has remained unused for a period of 12 consecutive*  
 11 *months, if such project has a waiting list of tenants seeking*  
 12 *such assistance or the project has rental assistance eligible*  
 13 *tenants who are not receiving such assistance: Provided fur-*  
 14 *ther, That such recaptured rental assistance shall, to the*  
 15 *extent practicable, be applied to another farm labor multi-*  
 16 *family housing project financed under section 514 or 516*  
 17 *of the Act.*

18 *MULTI-FAMILY HOUSING REVITALIZATION PROGRAM*

19 *ACCOUNT*

20 *For the rural housing voucher program as authorized*  
 21 *under section 542 of the Housing Act of 1949, but notwith-*  
 22 *standing subsection (b) of such section, and for additional*  
 23 *costs to conduct a demonstration program for the preserva-*  
 24 *tion and revitalization of multi-family rental housing prop-*  
 25 *erties described in this paragraph, \$27,782,000, to remain*

1 *available until expended: Provided, That of the funds made*  
2 *available under this heading, \$10,000,000, shall be avail-*  
3 *able for rural housing vouchers to any low-income household*  
4 *(including those not receiving rental assistance) residing in*  
5 *a property financed with a section 515 loan which has been*  
6 *prepaid after September 30, 2005: Provided further, That*  
7 *the amount of such voucher shall be the difference between*  
8 *comparable market rent for the section 515 unit and the*  
9 *tenant paid rent for such unit: Provided further, That funds*  
10 *made available for such vouchers shall be subject to the*  
11 *availability of annual appropriations: Provided further,*  
12 *That the Secretary shall, to the maximum extent prac-*  
13 *ticable, administer such vouchers with current regulations*  
14 *and administrative guidance applicable to section 8 hous-*  
15 *ing vouchers administered by the Secretary of the Depart-*  
16 *ment of Housing and Urban Development: Provided fur-*  
17 *ther, That if the Secretary determines that the amount*  
18 *made available for vouchers in this or any other Act is not*  
19 *needed for vouchers, the Secretary may use such funds for*  
20 *the demonstration program for the preservation and revital-*  
21 *ization of multi-family rental housing properties described*  
22 *in this paragraph: Provided further, That of the funds made*  
23 *available under this heading, \$17,782,000 shall be available*  
24 *for a demonstration program for the preservation and revi-*  
25 *talization of the sections 514, 515, and 516 multi-family*

1 rental housing properties to restructure existing USDA  
2 multi-family housing loans, as the Secretary deems appro-  
3 priate, expressly for the purposes of ensuring the project has  
4 sufficient resources to preserve the project for the purpose  
5 of providing safe and affordable housing for low-income  
6 residents and farm laborers including reducing or elimi-  
7 nating interest; deferring loan payments, subordinating, re-  
8 ducing or reamortizing loan debt; and other financial as-  
9 sistance including advances, payments and incentives (in-  
10 cluding the ability of owners to obtain reasonable returns  
11 on investment) required by the Secretary: Provided further,  
12 That the Secretary shall as part of the preservation and  
13 revitalization agreement obtain a restrictive use agreement  
14 consistent with the terms of the restructuring: Provided fur-  
15 ther, That if the Secretary determines that additional funds  
16 for vouchers described in this paragraph are needed, funds  
17 for the preservation and revitalization demonstration pro-  
18 gram may be used for such vouchers: Provided further, That  
19 if Congress enacts legislation to permanently authorize a  
20 multi-family rental housing loan restructuring program  
21 similar to the demonstration program described herein, the  
22 Secretary may use funds made available for the demonstra-  
23 tion program under this heading to carry out such legisla-  
24 tion with the prior approval of the Committees on Appro-  
25 priations of both Houses of Congress: Provided further, That

1 *in addition to any other available funds, the Secretary may*  
 2 *expend not more than \$1,000,000 total, from the program*  
 3 *funds made available under this heading, for administra-*  
 4 *tive expenses for activities funded under this heading.*

5 *MUTUAL AND SELF-HELP HOUSING GRANTS*

6 *For grants and contracts pursuant to section*  
 7 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*  
 8 *\$30,000,000, to remain available until expended: Provided,*  
 9 *That of the total amount appropriated under this heading,*  
 10 *the amount equal to the amount of Mutual and Self-Help*  
 11 *Grants allocated by the Secretary for Rural Economic Area*  
 12 *Partnership Zones for the fiscal year 2012, shall be avail-*  
 13 *able through June 30, 2013, for communities designated by*  
 14 *the Secretary of Agriculture as Rural Economic Area Part-*  
 15 *nership Zones.*

16 *RURAL HOUSING ASSISTANCE GRANTS*

17 *For grants for very low-income housing repair and*  
 18 *rural housing preservation made by the Rural Housing*  
 19 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*  
 20 *\$33,136,000, to remain available until expended: Provided,*  
 21 *That of the total amount appropriated under this heading,*  
 22 *the amount equal to the amount of Rural Housing Assist-*  
 23 *ance Grants allocated by the Secretary for Rural Economic*  
 24 *Area Partnership Zones for the fiscal year 2012, shall be*  
 25 *available through June 30, 2013, for communities des-*

1 *ignated by the Secretary of Agriculture as Rural Economic*  
2 *Area Partnership Zones.*

3 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For gross obligations for the principal amount of di-*  
6 *rect loans as authorized by section 306 and described in*  
7 *section 381E(d)(1) of the Consolidated Farm and Rural De-*  
8 *velopment Act, \$2,200,000,000 for direct loans and*  
9 *\$57,481,000 for guaranteed loans.*

10 *For the cost of guaranteed loans, including the cost of*  
11 *modifying loans, as defined in section 502 of the Congres-*  
12 *sional Budget Act of 1974, \$3,880,000, to remain available*  
13 *until expended.*

14 *For the cost of grants for rural community facilities*  
15 *programs as authorized by section 306 and described in sec-*  
16 *tion 381E(d)(1) of the Consolidated Farm and Rural Devel-*  
17 *opment Act, \$28,428,000, to remain available until ex-*  
18 *pended: Provided, That \$6,121,000 of the amount appro-*  
19 *priated under this heading shall be available for a Rural*  
20 *Community Development Initiative: Provided further, That*  
21 *such funds shall be used solely to develop the capacity and*  
22 *ability of private, nonprofit community-based housing and*  
23 *community development organizations, low-income rural*  
24 *communities, and Federally Recognized Native American*  
25 *Tribes to undertake projects to improve housing, community*



1 facilities, community and economic development projects in  
2 rural areas: Provided further, That such funds shall be  
3 made available to qualified private, nonprofit and public  
4 intermediary organizations proposing to carry out a pro-  
5 gram of financial and technical assistance: Provided fur-  
6 ther, That such intermediary organizations shall provide  
7 matching funds from other sources, including Federal funds  
8 for related activities, in an amount not less than funds pro-  
9 vided: Provided further, That \$5,938,000 of the amount ap-  
10 propriated under this heading shall be to provide grants  
11 for facilities in rural communities with extreme unemploy-  
12 ment and severe economic depression (Public Law 106-  
13 387), with up to 5 percent for administration and capacity  
14 building in the State rural development offices: Provided  
15 further, That \$3,369,000 of the amount appropriated under  
16 this heading shall be available for community facilities  
17 grants to tribal colleges, as authorized by section 306(a)(19)  
18 of such Act: Provided further, That of the total amount ap-  
19 propriated under this heading, the amount equal to the  
20 amount of Rural Community Facilities Program Account  
21 funds allocated by the Secretary for Rural Economic Area  
22 Partnership Zones for the fiscal year 2012, shall be avail-  
23 able through June 30, 2013, for communities designated by  
24 the Secretary of Agriculture as Rural Economic Area Part-  
25 nership Zones: Provided further, That sections 381E–H and

1 *381N of the Consolidated Farm and Rural Development Act*  
2 *are not applicable to the funds made available under this*  
3 *heading.*

4 *RURAL BUSINESS—COOPERATIVE SERVICE*

5 *RURAL BUSINESS PROGRAM ACCOUNT*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For the cost of loan guarantees and grants, for the*  
8 *rural business development programs authorized by sections*  
9 *306 and 310B and described in subsections (f) and (g) of*  
10 *section 310B and section 381E(d)(3) of the Consolidated*  
11 *Farm and Rural Development Act, \$85,904,000, to remain*  
12 *available until expended: Provided, That of the amount ap-*  
13 *propriated under this heading, not to exceed \$1,000,000*  
14 *shall be made available for two grants to qualified national*  
15 *organizations to provide technical assistance for rural*  
16 *transportation in order to promote economic development*  
17 *and \$3,000,000 shall be for grants to the Delta Regional*  
18 *Authority (7 U.S.C. 2009aa et seq.) for any Rural Commu-*  
19 *nity Advancement Program purpose as described in section*  
20 *381E(d) of the Consolidated Farm and Rural Development*  
21 *Act, of which not more than 5 percent may be used for ad-*  
22 *ministrative expenses: Provided further, That \$4,000,000 of*  
23 *the amount appropriated under this heading shall be for*  
24 *business grants to benefit Federally Recognized Native*  
25 *American Tribes, including \$250,000 for a grant to a quali-*

1 *fied national organization to provide technical assistance*  
 2 *for rural transportation in order to promote economic de-*  
 3 *velopment: Provided further, That of the total amount ap-*  
 4 *propriated under this heading, the amount equal to the*  
 5 *amount of Rural Business Program Account funds allocated*  
 6 *by the Secretary for Rural Economic Area Partnership*  
 7 *Zones for the fiscal year 2012, shall be available through*  
 8 *June 30, 2013, for communities designated by the Secretary*  
 9 *of Agriculture as Rural Economic Area Partnership Zones*  
 10 *for the rural business and cooperative development pro-*  
 11 *grams described in section 381E(d)(3) of the Consolidated*  
 12 *Farm and Rural Development Act: Provided further, That*  
 13 *sections 381E–H and 381N of the Consolidated Farm and*  
 14 *Rural Development Act are not applicable to funds made*  
 15 *available under this heading.*

16 *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*  
 17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For the principal amount of direct loans, as authorized*  
 19 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
 20 *\$18,889,000.*

21 *For the cost of direct loans, \$6,052,000, as authorized*  
 22 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
 23 *of which \$900,000 shall be available through June 30, 2013,*  
 24 *for Federally Recognized Native American Tribes; and of*  
 25 *which \$2,000,000 shall be available through June 30, 2013,*

1 *for Mississippi Delta Region counties (as determined in ac-*  
 2 *cordance with Public Law 100–460): Provided, That such*  
 3 *costs, including the cost of modifying such loans, shall be*  
 4 *as defined in section 502 of the Congressional Budget Act*  
 5 *of 1974: Provided further, That of the total amount appro-*  
 6 *priated under this heading, the amount equal to the amount*  
 7 *of Rural Development Loan Fund Program Account funds*  
 8 *allocated by the Secretary for Rural Economic Area Part-*  
 9 *nership Zones for the fiscal year 2012, shall be available*  
 10 *through June 30, 2013, for communities designated by the*  
 11 *Secretary of Agriculture as Rural Economic Area Partner-*  
 12 *ship Zones.*

13 *In addition, for administrative expenses to carry out*  
 14 *the direct loan programs, \$4,438,000 shall be transferred*  
 15 *to and merged with the appropriation for “Rural Develop-*  
 16 *ment, Salaries and Expenses”.*

17 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

18 *ACCOUNT*

19 *(INCLUDING RESCISSION OF FUNDS)*

20 *For the principal amount of direct loans, as authorized*  
 21 *under section 313 of the Rural Electrification Act, for the*  
 22 *purpose of promoting rural economic development and job*  
 23 *creation projects, \$33,077,000.*

24 *Of the funds derived from interest on the cushion of*  
 25 *credit payments, as authorized by section 313 of the Rural*

1 *Electrification Act of 1936, \$180,000,000 shall not be obli-*  
2 *gated and \$180,000,000 are rescinded.*

3 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

4 *For rural cooperative development grants authorized*  
5 *under section 310B(e) of the Consolidated Farm and Rural*  
6 *Development Act (7 U.S.C. 1932), \$27,706,000, of which*  
7 *\$2,250,000 shall be for cooperative agreements for the ap-*  
8 *propriate technology transfer for rural areas program: Pro-*  
9 *vided, That not to exceed \$3,456,000 shall be for grants for*  
10 *cooperative development centers, individual cooperatives, or*  
11 *groups of cooperatives that serve socially disadvantaged*  
12 *groups and a majority of the boards of directors or gov-*  
13 *erning boards of which are comprised of individuals who*  
14 *are members of socially disadvantaged groups; and of which*  
15 *\$15,000,000, to remain available until expended, shall be*  
16 *for value-added agricultural product market development*  
17 *grants, as authorized by section 231 of the Agricultural*  
18 *Risk Protection Act of 2000 (7 U.S.C. 1621 note).*

19 *RURAL ENERGY FOR AMERICA PROGRAM*

20 *For the cost of a program of loan guarantees, under*  
21 *the same terms and conditions as authorized by section*  
22 *9007 of the Farm Security and Rural Investment Act of*  
23 *2002 (7 U.S.C. 8107), \$3,400,000: Provided, That the cost*  
24 *of loan guarantees, including the cost of modifying such*

1 *loans, shall be as defined in section 502 of the Congressional*  
 2 *Budget Act of 1974.*

3 *RURAL UTILITIES SERVICE*

4 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For the cost of direct loans, loan guarantees, and*  
 7 *grants for the rural water, waste water, waste disposal, and*  
 8 *solid waste management programs authorized by sections*  
 9 *306, 306A, 306C, 306D, 306E, and 310B and described in*  
 10 *sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the*  
 11 *Consolidated Farm and Rural Development Act,*  
 12 *\$524,466,000, to remain available until expended, of which*  
 13 *not to exceed \$1,000,000 shall be available for the rural util-*  
 14 *ities program described in section 306(a)(2)(B) of such Act,*  
 15 *and of which not to exceed \$993,000 shall be available for*  
 16 *the rural utilities program described in section 306E of*  
 17 *such Act: Provided, That \$66,500,000 of the amount appro-*  
 18 *priated under this heading shall be for loans and grants*  
 19 *including water and waste disposal systems grants author-*  
 20 *ized by 306C(a)(2)(B) and 306D of the Consolidated Farm*  
 21 *and Rural Development Act, Federally recognized Native*  
 22 *American Tribes authorized by 306C(a)(1), and the Depart-*  
 23 *ment of Hawaiian Home Lands (of the State of Hawaii):*  
 24 *Provided further, That funding provided for section 306D*  
 25 *of the Consolidated Farm and Rural Development Act may*

1 *be provided to a consortium formed pursuant to section 325*  
2 *of Public Law 105–83: Provided further, That not more*  
3 *than 2 percent of the funding provided for section 306D*  
4 *of the Consolidated Farm and Rural Development Act may*  
5 *be used by the State of Alaska for training and technical*  
6 *assistance programs and not more than 2 percent of the*  
7 *funding provided for section 306D of the Consolidated*  
8 *Farm and Rural Development Act may be used by a consor-*  
9 *tium formed pursuant to section 325 of Public Law 105–*  
10 *83 for training and technical assistance programs: Pro-*  
11 *vided further, That not to exceed \$19,000,000 of the amount*  
12 *appropriated under this heading shall be for technical as-*  
13 *sistance grants for rural water and waste systems pursuant*  
14 *to section 306(a)(14) of such Act, unless the Secretary*  
15 *makes a determination of extreme need, of which \$5,750,000*  
16 *shall be made available for a grant to a qualified non-profit*  
17 *multi-state regional technical assistance organization, with*  
18 *experience in working with small communities on water*  
19 *and waste water problems, the principal purpose of such*  
20 *grant shall be to assist rural communities with populations*  
21 *of 3,300 or less, in improving the planning, financing, de-*  
22 *velopment, operation, and management of water and waste*  
23 *water systems, and of which not less than \$800,000 shall*  
24 *be for a qualified national Native American organization*  
25 *to provide technical assistance for rural water systems for*

1 *tribal communities: Provided further, That not to exceed*  
2 *\$15,000,000 of the amount appropriated under this heading*  
3 *shall be for contracting with qualified national organiza-*  
4 *tions for a circuit rider program to provide technical assist-*  
5 *ance for rural water systems: Provided further, That not*  
6 *to exceed \$3,400,000 shall be for solid waste management*  
7 *grants: Provided further, That of the total amount appro-*  
8 *priated under this heading, the amount equal to the amount*  
9 *of Rural Water and Waste Disposal Program Account funds*  
10 *allocated by the Secretary for Rural Economic Area Part-*  
11 *nership Zones for the fiscal year 2012, shall be available*  
12 *through June 30, 2013, for communities designated by the*  
13 *Secretary of Agriculture as Rural Economic Area Partner-*  
14 *ship Zones for the rural utilities programs described in sec-*  
15 *tion 381E(d)(2) of the Consolidated Farm and Rural Devel-*  
16 *opment Act: Provided further, That \$10,000,000 of the*  
17 *amount appropriated under this heading shall be trans-*  
18 *ferred to, and merged with, the Rural Utilities Service,*  
19 *High Energy Cost Grants Account to provide grants au-*  
20 *thorized under section 19 of the Rural Electrification Act*  
21 *of 1936 (7 U.S.C. 918a): Provided further, That any prior*  
22 *year balances for high-energy cost grants authorized by sec-*  
23 *tion 19 of the Rural Electrification Act of 1936 (7 U.S.C.*  
24 *918a) shall be transferred to and merged with the Rural*  
25 *Utilities Service, High Energy Cost Grants Account: Pro-*



1 *vided further, That sections 381E–H and 381N of the Con-*  
 2 *solidated Farm and Rural Development Act are not appli-*  
 3 *cable to the funds made available under this heading.*

4 *For gross obligations for the principal amount of di-*  
 5 *rect loans as authorized by section 1006a of title 16 of the*  
 6 *United States Code, except for the limitations contained in*  
 7 *the last sentence of such section, for projects whose features*  
 8 *include agricultural water supply benefits, groundwater*  
 9 *protection, environmental enhancement and flood control,*  
 10 *\$40,000,000: Provided, That such loans shall be made by*  
 11 *the Rural Utilities Service.*

12 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

13 *LOANS PROGRAM ACCOUNT*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *The principal amount of direct and guaranteed loans*  
 16 *as authorized by sections 305 and 306 of the Rural Elec-*  
 17 *trification Act of 1936 (7 U.S.C. 935 and 936) shall be*  
 18 *made as follows: 5 percent rural electrification loans,*  
 19 *\$100,000,000; loans made pursuant to section 306 of that*  
 20 *Act, rural electric, \$6,500,000,000; guaranteed under-*  
 21 *writing loans pursuant to section 313A, \$500,000,000; cost*  
 22 *of money rural telecommunications loans, \$690,000,000:*  
 23 *Provided, That up to \$2,000,000,000 shall be used for the*  
 24 *construction, acquisition, or improvement of fossil-fueled*

1 *electric generating plants (whether new or existing) that*  
2 *utilize carbon sequestration systems.*

3 *In addition, for administrative expenses necessary to*  
4 *carry out the direct and guaranteed loan programs,*  
5 *\$34,467,000, which shall be transferred to and merged with*  
6 *the appropriation for “Rural Development, Salaries and*  
7 *Expenses”.*

8 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*  
9 *PROGRAM*

10 *For the principal amount of broadband telecommuni-*  
11 *cation loans, \$42,239,000.*

12 *For grants for telemedicine and distance learning serv-*  
13 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*  
14 *seq., \$24,950,000, to remain available until expended: Pro-*  
15 *vided, That \$3,000,000 shall be made available for grants*  
16 *authorized by 379G of the Consolidated Farm and Rural*  
17 *Development Act: Provided further, That funding provided*  
18 *under this heading for grants under 379G of the Consoli-*  
19 *dated Farm and Rural Development Act may only be pro-*  
20 *vided to entities that meet all of the eligibility criteria for*  
21 *a consortium as established by this section: Provided fur-*  
22 *ther, That \$3,000,000 shall be made available to those non-*  
23 *commercial educational television broadcast stations that*  
24 *serve rural areas and are qualified for Community Service*  
25 *Grants by the Corporation for Public Broadcasting under*

1 *section 396(k) of the Communications Act of 1934, includ-*  
2 *ing associated translators and repeaters, regardless of the*  
3 *location of their main transmitter, studio-to-transmitter*  
4 *links, and equipment to allow local control over digital con-*  
5 *tent and programming through the use of high-definition*  
6 *broadcast, multi-casting and datacasting technologies.*

7 *For the cost of broadband loans, as authorized by sec-*  
8 *tion 601 of the Rural Electrification Act, \$4,000,000, to re-*  
9 *main available until expended: Provided, That the cost of*  
10 *direct loans shall be as defined in section 502 of the Con-*  
11 *gressional Budget Act of 1974.*

12 *In addition, \$10,372,000, to remain available until ex-*  
13 *pendent, for a grant program to finance broadband trans-*  
14 *mission in rural areas eligible for Distance Learning and*  
15 *Telemedicine Program benefits authorized by 7 U.S.C.*  
16 *950aaa.*

#### 17 *TITLE IV*

#### 18 *DOMESTIC FOOD PROGRAMS*

#### 19 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

#### 20 *NUTRITION AND CONSUMER SERVICES*

21 *For necessary expenses of the Office of the Under Sec-*  
22 *retary for Food, Nutrition and Consumer Services,*  
23 *\$811,000.*

1 *FOOD AND NUTRITION SERVICE*2 *CHILD NUTRITION PROGRAMS*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For necessary expenses to carry out the Richard B.*  
5 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*  
6 *except section 21, and the Child Nutrition Act of 1966 (42*  
7 *U.S.C. 1771 et seq.), except sections 17 and 21;*  
8 *\$19,916,436,000, to remain available through September*  
9 *30, 2014, of which such sums as are made available under*  
10 *section 14222(b)(1) of the Food, Conservation, and Energy*  
11 *Act of 2008 (Public Law 110–246), as amended by this Act,*  
12 *shall be merged with and available for the same time period*  
13 *and purposes as provided herein: Provided, That of the total*  
14 *amount available, \$16,504,000 shall be available to carry*  
15 *out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.*  
16 *1771 et seq.): Provided further, That of the total amount*  
17 *available, \$35,000,000 shall be available to provide competi-*  
18 *tive grants to State agencies for subgrants to local edu-*  
19 *cational agencies and schools to purchase the equipment*  
20 *needed to serve healthier meals, improve food safety, and*  
21 *to help support the establishment, maintenance, or expan-*  
22 *sion of the school breakfast program.*

1        *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*  
2                *WOMEN, INFANTS, AND CHILDREN (WIC)*

3        *For necessary expenses to carry out the special supple-*  
4 *mental nutrition program as authorized by section 17 of*  
5 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*  
6 *\$7,046,000,000, to remain available through September 30,*  
7 *2014: Provided, That notwithstanding section 17(h)(10) of*  
8 *the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)),*  
9 *not less than \$60,000,000 shall be used for breastfeeding*  
10 *peer counselors and other related activities, \$14,000,000*  
11 *shall be used for infrastructure, and \$35,000,000 shall be*  
12 *used for management information systems: Provided fur-*  
13 *ther, That funds made available for the purposes specified*  
14 *in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall*  
15 *only be made available upon a determination by the Sec-*  
16 *retary that funds are available to meet caseload require-*  
17 *ments without the use of funds in the contingency reserve*  
18 *that are without fiscal year limitation: Provided further,*  
19 *That none of the funds provided in this account shall be*  
20 *available for the purchase of infant formula except in ac-*  
21 *cordance with the cost containment and competitive bidding*  
22 *requirements specified in section 17 of such Act: Provided*  
23 *further, That none of the funds provided shall be available*  
24 *for activities that are not fully reimbursed by other Federal*

1 *Government departments or agencies unless authorized by*  
2 *section 17 of such Act.*

3 *SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM*

4 *For necessary expenses to carry out the Food and Nu-*  
5 *trition Act of 2008 (7 U.S.C. 2011 et seq.), \$77,290,160,000,*  
6 *of which \$3,000,000,000, to remain available through Sep-*  
7 *tember 30, 2014, shall be placed in reserve for use only in*  
8 *such amounts and at such times as may become necessary*  
9 *to carry out program operations: Provided, That funds pro-*  
10 *vided herein shall be expended in accordance with section*  
11 *16 of the Food and Nutrition Act of 2008: Provided further,*  
12 *That of the funds made available under this heading,*  
13 *\$998,000 may be used to provide nutrition education serv-*  
14 *ices to state agencies and Federally recognized tribes par-*  
15 *ticipating in the Food Distribution Program on Indian*  
16 *Reservations: Provided further, That this appropriation*  
17 *shall be subject to any work registration or workfare re-*  
18 *quirements as may be required by law: Provided further,*  
19 *That funds made available for Employment and Training*  
20 *under this heading shall remain available until expended,*  
21 *notwithstanding section 16(h)(1) of the Food and Nutrition*  
22 *Act of 2008: Provided further, That funds made available*  
23 *under this heading may be used to enter into contracts and*  
24 *employ staff to conduct studies, evaluations, or to conduct*  
25 *activities related to program integrity provided that such*

1 *activities are authorized by the Food and Nutrition Act of*  
2 *2008.*

3 *COMMODITY ASSISTANCE PROGRAM*

4 *For necessary expenses to carry out disaster assistance*  
5 *and the Commodity Supplemental Food Program as au-*  
6 *thorized by section 4(a) of the Agriculture and Consumer*  
7 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*  
8 *Food Assistance Act of 1983; special assistance for the nu-*  
9 *clear affected islands, as authorized by section 103(f)(2) of*  
10 *the Compact of Free Association Amendments Act of 2003*  
11 *(Public Law 108–188); and the Farmers’ Market Nutrition*  
12 *Program, as authorized by section 17(m) of the Child Nutri-*  
13 *tion Act of 1966, \$253,952,000, to remain available through*  
14 *September 30, 2014: Provided, That none of these funds*  
15 *shall be available to reimburse the Commodity Credit Cor-*  
16 *poration for commodities donated to the program: Provided*  
17 *further, That notwithstanding any other provision of law,*  
18 *effective with funds made available in fiscal year 2013 to*  
19 *support the Seniors Farmers’ Market Nutrition Program,*  
20 *as authorized by section 4402 of the Farm Security and*  
21 *Rural Investment Act of 2002, such funds shall remain*  
22 *available through September 30, 2014: Provided further,*  
23 *That of the funds made available under section 27(a) of*  
24 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*

1 *the Secretary may use up to 10 percent for costs associated*  
 2 *with the distribution of commodities.*

3 *NUTRITION PROGRAMS ADMINISTRATION*

4 *For necessary administrative expenses of the Food and*  
 5 *Nutrition Service for carrying out any domestic nutrition*  
 6 *assistance program, \$143,505,000: Provided, That of the*  
 7 *funds provided herein, \$2,000,000 shall be used for the pur-*  
 8 *poses of section 4404 of Public Law 107-171, as amended*  
 9 *by section 4401 of Public Law 110-246.*

10 *TITLE V*

11 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

12 *FOREIGN AGRICULTURAL SERVICE*

13 *SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses of the Foreign Agricultural*  
 16 *Service, including not to exceed \$158,000 for representation*  
 17 *allowances and for expenses pursuant to section 8 of the*  
 18 *Act approved August 3, 1956 (7 U.S.C. 1766),*  
 19 *\$176,789,000: Provided, That the Service may utilize ad-*  
 20 *vances of funds, or reimburse this appropriation for expend-*  
 21 *itures made on behalf of Federal agencies, public and pri-*  
 22 *vate organizations and institutions under agreements exe-*  
 23 *cuted pursuant to the agricultural food production assist-*  
 24 *ance programs (7 U.S.C. 1737) and the foreign assistance*  
 25 *programs of the United States Agency for International De-*



1 *velopment: Provided further, That funds made available for*  
 2 *middle-income country training programs, funds made*  
 3 *available for the Borlaug International Agricultural*  
 4 *Science and Technology Fellowship program, and up to*  
 5 *\$2,000,000 of the Foreign Agricultural Service appropria-*  
 6 *tion solely for the purpose of offsetting fluctuations in inter-*  
 7 *national currency exchange rates, subject to documentation*  
 8 *by the Foreign Agricultural Service, shall remain available*  
 9 *until expended.*

10 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*

11 *PROGRESS PROGRAM ACCOUNT*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For administrative expenses to carry out the credit*  
 14 *program of title I, Food for Peace Act (Public Law 83–*  
 15 *480) and the Food for Progress Act of 1985, \$2,806,000,*  
 16 *shall be transferred to and merged with the appropriation*  
 17 *for “Farm Service Agency, Salaries and Expenses”: Pro-*  
 18 *vided, That funds made available for the cost of agreements*  
 19 *under title I of the Agricultural Trade Development and*  
 20 *Assistance Act of 1954 and for title I ocean freight differen-*  
 21 *tial may be used interchangeably between the two accounts*  
 22 *with prior notice to the Committees on Appropriations of*  
 23 *both Houses of Congress.*

1                    *FOOD FOR PEACE TITLE II GRANTS*

2            *For expenses during the current fiscal year, not other-*  
 3 *wise recoverable, and unrecovered prior years' costs, includ-*  
 4 *ing interest thereon, under the Food for Peace Act (Public*  
 5 *Law 83-480, as amended), for commodities supplied in*  
 6 *connection with dispositions abroad under title II of said*  
 7 *Act, \$1,435,000,000, to remain available until expended.*

8            *MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*  
 9                    *AND CHILD NUTRITION PROGRAM GRANTS*

10          *For necessary expenses to carry out the provisions of*  
 11 *section 3107 of the Farm Security and Rural Investment*  
 12 *Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to remain*  
 13 *available until expended: Provided, That the Commodity*  
 14 *Credit Corporation is authorized to provide the services, fa-*  
 15 *cilities, and authorities for the purpose of implementing*  
 16 *such section, subject to reimbursement from amounts pro-*  
 17 *vided herein.*

18          *COMMODITY CREDIT CORPORATION EXPORT (LOANS)*  
 19                    *CREDIT GUARANTEE PROGRAM ACCOUNT*  
 20                    *(INCLUDING TRANSFERS OF FUNDS)*

21          *For administrative expenses to carry out the Com-*  
 22 *modity Credit Corporation's export guarantee program,*  
 23 *GSM 102 and GSM 103, \$6,806,000; to cover common over-*  
 24 *head expenses as permitted by section 11 of the Commodity*  
 25 *Credit Corporation Charter Act and in conformity with the*

1 *Federal Credit Reform Act of 1990, of which \$6,452,000*  
 2 *shall be transferred to and merged with the appropriation*  
 3 *for “Foreign Agricultural Service, Salaries and Expenses”,*  
 4 *and of which \$354,000 shall be transferred to and merged*  
 5 *with the appropriation for “Farm Service Agency, Salaries*  
 6 *and Expenses”.*

## 7 *TITLE VI*

### 8 *RELATED AGENCY AND FOOD AND DRUG*

#### 9 *ADMINISTRATION*

#### 10 *DEPARTMENT OF HEALTH AND HUMAN SERVICES*

#### 11 *FOOD AND DRUG ADMINISTRATION*

#### 12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Food and Drug Adminis-*  
 14 *tration, including hire and purchase of passenger motor ve-*  
 15 *hicles; for payment of space rental and related costs pursu-*  
 16 *ant to Public Law 92–313 for programs and activities of*  
 17 *the Food and Drug Administration which are included in*  
 18 *this Act; for rental of special purpose space in the District*  
 19 *of Columbia or elsewhere; for miscellaneous and emergency*  
 20 *expenses of enforcement activities, authorized and approved*  
 21 *by the Secretary and to be accounted for solely on the Sec-*  
 22 *retary’s certificate, not to exceed \$25,000; and notwith-*  
 23 *standing section 521 of Public Law 107–188;*  
 24 *\$4,223,295,000: Provided, That of the amount provided*  
 25 *under this heading, \$718,669,000 shall be derived from pre-*

1 *scription drug user fees authorized by 21 U.S.C. 379h, and*  
2 *shall be credited to this account and remain available until*  
3 *expended, and shall not include any fees pursuant to 21*  
4 *U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2014*  
5 *but collected in fiscal year 2013; \$97,722,000 shall be de-*  
6 *rived from medical device user fees authorized by 21 U.S.C.*  
7 *379j, and shall be credited to this account and remain*  
8 *available until expended; \$299,000,000 shall be derived*  
9 *from human generic drug user fees authorized by 21 U.S.C.*  
10 *379j–42, and shall be credited to this account and remain*  
11 *available until expended; \$20,242,000 shall be derived from*  
12 *biosimilar biological product user fees authorized by 21*  
13 *U.S.C. 379j–52, and shall be credited to this account and*  
14 *remain available until expended; \$23,848,000 shall be de-*  
15 *rived from animal drug user fees authorized by 21 U.S.C.*  
16 *379j–12, and shall be credited to this account and remain*  
17 *available until expended; \$6,031,000 shall be derived from*  
18 *animal generic drug user fees authorized by 21 U.S.C. 379j–*  
19 *21, and shall be credited to this account and remain avail-*  
20 *able until expended; \$505,000,000 shall be derived from to-*  
21 *bacco product user fees authorized by 21 U.S.C. 387s, and*  
22 *shall be credited to this account and remain available until*  
23 *expended; \$12,925,000 shall be derived from food and feed*  
24 *recall fees authorized by 21 U.S.C. 379j–31, and shall be*  
25 *credited to this account and remain available until ex-*

1 *pending; \$15,367,000 shall be derived from food reinspection*  
2 *fees authorized by 21 U.S.C. 379j–31, and shall be credited*  
3 *to this account and remain available until expended; and*  
4 *amounts derived from voluntary qualified importer pro-*  
5 *gram fees authorized by 21 U.S.C. 379j–31, and shall be*  
6 *credited to this account and remain available until ex-*  
7 *pending: Provided further, That in addition and notwith-*  
8 *standing any other provision under this heading, amounts*  
9 *collected for prescription drug user fees, medical device user*  
10 *fees, human generic drug user fees, biosimilar biological*  
11 *product user fees, animal drug user fees, and animal generic*  
12 *drug user fees that exceed the respective fiscal year 2013*  
13 *limitations are appropriated and shall be credited to this*  
14 *account and remain available until expended: Provided fur-*  
15 *ther, That fees derived from prescription drug, medical de-*  
16 *vice, animal drug, and animal generic drug assessments for*  
17 *fiscal year 2013 received during fiscal year 2013, including*  
18 *any such fees assessed prior to fiscal year 2013 but credited*  
19 *for fiscal year 2013, shall be subject to the fiscal year 2013*  
20 *limitations: Provided further, That none of these funds shall*  
21 *be used to develop, establish, or operate any program of user*  
22 *fees authorized by 31 U.S.C. 9701: Provided further, That*  
23 *of the total amount appropriated: (1) \$887,162,000 shall*  
24 *be for the Center for Food Safety and Applied Nutrition*  
25 *and related field activities in the Office of Regulatory Af-*

1 *fairs; (2) \$1,261,369,000 shall be for the Center for Drug*  
2 *Evaluation and Research and related field activities in the*  
3 *Office of Regulatory Affairs; (3) \$329,708,000 shall be for*  
4 *the Center for Biologics Evaluation and Research and for*  
5 *related field activities in the Office of Regulatory Affairs;*  
6 *(4) \$167,576,000 shall be for the Center for Veterinary Med-*  
7 *icine and for related field activities in the Office of Regu-*  
8 *latory Affairs; (5) \$393,988,000 shall be for the Center for*  
9 *Devices and Radiological Health and for related field ac-*  
10 *tivities in the Office of Regulatory Affairs; (6) \$59,429,000*  
11 *shall be for the National Center for Toxicological Research;*  
12 *(7) \$482,398,000 shall be for the Center for Tobacco Prod-*  
13 *ucts and for related field activities in the Office of Regu-*  
14 *latory Affairs; (8) not to exceed \$168,971,000 shall be for*  
15 *Rent and Related activities, of which \$61,713,000 is for*  
16 *White Oak Consolidation, other than the amounts paid to*  
17 *the General Services Administration for rent; (9) not to ex-*  
18 *ceed \$213,352,000 shall be for payments to the General*  
19 *Services Administration for rent; and (10) \$259,342,000*  
20 *shall be for other activities, including the Office of the Com-*  
21 *missioner of Food and Drugs, the Office of Foods and Vet-*  
22 *erinary Medicine, the Office of Medical and Tobacco Prod-*  
23 *ucts, the Office of Global and Regulatory Policy, the Office*  
24 *of Operations, the Office of the Chief Scientist, and central*  
25 *services for these offices: Provided further, That the Sec-*

1   retary may, prior to the due date for such fees, accept pay-  
2   ment of prescription drug user fees, medical device user fees,  
3   human generic drug user fees, biosimilar biological product  
4   user fees, animal drug user fees and animal generic drug  
5   user fees authorized for fiscal year 2014, and that amounts  
6   of such fees assessed for fiscal year 2014 for which the Sec-  
7   retary accepts payment in fiscal year 2013 shall not be in-  
8   cluded in amounts provided under this heading: Provided  
9   further, That not to exceed \$25,000 of this amount shall  
10   be for official reception and representation expenses, not  
11   otherwise provided for, as determined by the Commissioner:  
12   Provided further, That any transfer of funds pursuant to  
13   section 770(n) of the Federal Food, Drug, and Cosmetic Act  
14   (21 U.S.C. 379dd(n)) shall only be from amounts made  
15   available under this heading for other activities: Provided  
16   further, That funds may be transferred from one specified  
17   activity to another with the prior approval of the Commit-  
18   tees on Appropriations of both Houses of Congress.

19       In addition, mammography user fees authorized by 42  
20   U.S.C. 263b, export certification user fees authorized by 21  
21   U.S.C. 381, and priority review user fees authorized by 21  
22   U.S.C. 360n may be credited to this account, to remain  
23   available until expended.

1 *BUILDINGS AND FACILITIES*

2 *For plans, construction, repair, improvement, exten-*  
3 *sion, alteration, and purchase of fixed equipment or facili-*  
4 *ties of or used by the Food and Drug Administration, where*  
5 *not otherwise provided, \$5,320,000, to remain available*  
6 *until expended.*

7 *INDEPENDENT AGENCY*

8 *FARM CREDIT ADMINISTRATION*

9 *LIMITATION ON ADMINISTRATIVE EXPENSES*

10 *Not to exceed \$63,300,000 (from assessments collected*  
11 *from farm credit institutions, including the Federal Agri-*  
12 *cultural Mortgage Corporation) shall be obligated during*  
13 *the current fiscal year for administrative expenses as au-*  
14 *thorized under 12 U.S.C. 2249: Provided, That this limita-*  
15 *tion shall not apply to expenses associated with receiver-*  
16 *ships.*

17 *TITLE VII*

18 *GENERAL PROVISIONS*

19 *(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)*

20 *SEC. 701. Within the unit limit of cost fixed by law,*  
21 *appropriations and authorizations made for the Depart-*  
22 *ment of Agriculture for the current fiscal year under this*  
23 *Act shall be available for the purchase, in addition to those*  
24 *specifically provided for, of not to exceed 204 passenger*  
25 *motor vehicles of which 170 shall be for replacement only,*



1 *and for the hire of such vehicles: Provided, That notwith-*  
2 *standing this section, the only purchase of new passenger*  
3 *vehicles shall be for those determined by the Secretary to*  
4 *be necessary for transportation safety, to reduce operational*  
5 *costs, and for the protection of life, property, and public*  
6 *safety.*

7       *SEC. 702. Notwithstanding any other provision of this*  
8 *Act, the Secretary of Agriculture may transfer unobligated*  
9 *balances of discretionary funds appropriated by this Act*  
10 *or any other available unobligated discretionary balances*  
11 *of the Department of Agriculture that are remaining avail-*  
12 *able at the end of the fiscal year, to the Working Capital*  
13 *Fund for the acquisition of plant and capital equipment*  
14 *necessary for the delivery of financial, administrative, and*  
15 *information technology services of primary benefit to the*  
16 *agencies of the Department of Agriculture, such transferred*  
17 *funds to remain available until expended: Provided, That*  
18 *none of the funds made available by this Act or any other*  
19 *Act shall be transferred to the Working Capital Fund with-*  
20 *out the prior approval of the agency administrator: Pro-*  
21 *vided further, That none of the funds transferred to the*  
22 *Working Capital Fund pursuant to this section shall be*  
23 *available for obligation without written notification to and*  
24 *the prior approval of the Committees on Appropriations of*  
25 *both Houses of Congress: Provided further, That none of the*

1 *funds appropriated by this Act or made available to the*  
2 *Department's Working Capital Fund shall be available for*  
3 *obligation or expenditure to make any changes to the De-*  
4 *partment's National Finance Center without written notifi-*  
5 *cation to and prior approval of the Committees on Appro-*  
6 *priations of both Houses of Congress as required by section*  
7 *726 of this Act: Provided further, That of annual income*  
8 *amounts in the Working Capital Fund of the Department*  
9 *of Agriculture allocated for the National Finance Center,*  
10 *the Secretary may reserve not more than 4 percent for the*  
11 *replacement or acquisition of capital equipment, including*  
12 *equipment for the improvement and implementation of a*  
13 *financial management plan, information technology, and*  
14 *other systems of the National Finance Center or to pay any*  
15 *unforeseen, extraordinary cost of the National Finance Cen-*  
16 *ter: Provided further, That none of the amounts reserved*  
17 *shall be available for obligation unless the Secretary sub-*  
18 *mits written notification of the obligation to the Committees*  
19 *on Appropriations of the House of Representatives and the*  
20 *Senate: Provided further, That the limitation on the obliga-*  
21 *tion of funds pending notification to Congressional Com-*  
22 *mittees shall not apply to any obligation that, as deter-*  
23 *mined by the Secretary, is necessary to respond to a de-*  
24 *clared state of emergency that significantly impacts the op-*  
25 *erations of the National Finance Center; or to evacuate em-*

1 *ployees of the National Finance Center to a safe haven to*  
2 *continue operations of the National Finance Center.*

3       *SEC. 703. No part of any appropriation contained in*  
4 *this Act shall remain available for obligation beyond the*  
5 *current fiscal year unless expressly so provided herein.*

6       *SEC. 704. No funds appropriated by this Act may be*  
7 *used to pay negotiated indirect cost rates on cooperative*  
8 *agreements or similar arrangements between the United*  
9 *States Department of Agriculture and nonprofit institu-*  
10 *tions in excess of 10 percent of the total direct cost of the*  
11 *agreement when the purpose of such cooperative arrange-*  
12 *ments is to carry out programs of mutual interest between*  
13 *the two parties. This does not preclude appropriate pay-*  
14 *ment of indirect costs on grants and contracts with such*  
15 *institutions when such indirect costs are computed on a*  
16 *similar basis for all agencies for which appropriations are*  
17 *provided in this Act.*

18       *SEC. 705. Appropriations to the Department of Agri-*  
19 *culture for the cost of direct and guaranteed loans made*  
20 *available in the current fiscal year shall remain available*  
21 *until expended to disburse obligations made in the current*  
22 *fiscal year for the following accounts: the Rural Develop-*  
23 *ment Loan Fund program account, the Rural Electrifica-*  
24 *tion and Telecommunication Loans program account, and*  
25 *the Rural Housing Insurance Fund program account.*

1       *SEC. 706. Funds made available by this Act under title*  
2 *II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may*  
3 *only be used to provide assistance to recipient nations if*  
4 *adequate monitoring and controls, as determined by the Ad-*  
5 *ministrator of the U.S. Agency for International Develop-*  
6 *ment, are in place to ensure that emergency food aid is re-*  
7 *ceived by the intended beneficiaries in areas affected by food*  
8 *shortages and not diverted for unauthorized or inappro-*  
9 *priate purposes.*

10       *SEC. 707. None of the funds made available to the De-*  
11 *partment of Agriculture by this Act may be used to acquire*  
12 *new information technology systems or significant up-*  
13 *grades, as determined by the Office of the Chief Information*  
14 *Officer, without the approval of the Chief Information Offi-*  
15 *cer and the concurrence of the Executive Information Tech-*  
16 *nology Investment Review Board: Provided, That notwith-*  
17 *standing any other provision of law, none of the funds ap-*  
18 *propriated or otherwise made available by this Act may be*  
19 *transferred to the Office of the Chief Information Officer*  
20 *without written notification to and the prior approval of*  
21 *the Committees on Appropriations of both Houses of Con-*  
22 *gress: Provided further, That none of the funds available*  
23 *to the Department of Agriculture for information technology*  
24 *shall be obligated for projects over \$25,000 prior to receipt*  
25 *of written approval by the Chief Information Officer.*

1        *SEC. 708. Funds made available under section 1240I*  
2   *and section 1241(a) of the Food Security Act of 1985 and*  
3   *section 524(b) of the Federal Crop Insurance Act (7 U.S.C.*  
4   *1524(b)) in the current fiscal year shall remain available*  
5   *until expended to disburse obligations made in the current*  
6   *fiscal year.*

7        *SEC. 709. Notwithstanding any other provision of law,*  
8   *any former RUS borrower that has repaid or prepaid an*  
9   *insured, direct or guaranteed loan under the Rural Elec-*  
10   *trification Act of 1936, or any not-for-profit utility that*  
11   *is eligible to receive an insured or direct loan under such*  
12   *Act, shall be eligible for assistance under section*  
13   *313(b)(2)(B) of such Act in the same manner as a borrower*  
14   *under such Act.*

15        *SEC. 710. Notwithstanding any other provision of law,*  
16   *for the purposes of a grant under section 412 of the Agricul-*  
17   *tural Research, Extension, and Education Reform Act of*  
18   *1998, none of the funds in this or any other Act may be*  
19   *used to prohibit the provision of in-kind support from non-*  
20   *Federal sources under section 412(e)(3) of such Act in the*  
21   *form of unrecovered indirect costs not otherwise charged*  
22   *against the grant, consistent with the indirect rate of cost*  
23   *approved for a recipient.*

24        *SEC. 711. Except as otherwise specifically provided by*  
25   *law, unobligated balances from appropriations made avail-*

1 *able for salaries and expenses in this Act for the Farm Serv-*  
2 *ice Agency and the Rural Development mission area, shall*  
3 *remain available through September 30, 2014, for informa-*  
4 *tion technology expenses.*

5 *SEC. 712. The Secretary of Agriculture may authorize*  
6 *a State agency to use funds provided in this Act to exceed*  
7 *the maximum amount of liquid infant formula specified in*  
8 *7 CFR 246.10 when issuing liquid infant formula to par-*  
9 *ticipants.*

10 *SEC. 713. None of the funds appropriated or otherwise*  
11 *made available by this Act may be used for first-class travel*  
12 *by the employees of agencies funded by this Act in con-*  
13 *travention of sections 301–10.122 through 301–10.124 of*  
14 *title 41, Code of Federal Regulations.*

15 *SEC. 714. In the case of each program established or*  
16 *amended by the Food, Conservation, and Energy Act of*  
17 *2008 (Public Law 110–246), other than by title I or subtitle*  
18 *A of title III of such Act, that is authorized or required*  
19 *to be carried out using funds of the Commodity Credit Cor-*  
20 *poration—*

21 *(1) such funds shall be available for salaries and*  
22 *related administrative expenses, including technical*  
23 *assistance, associated with the implementation of the*  
24 *program, without regard to the limitation on the total*  
25 *amount of allotments and fund transfers contained in*

1        *section 11 of the Commodity Credit Corporation*  
2        *Charter Act (15 U.S.C. 714i); and*

3            *(2) the use of such funds for such purpose shall*  
4        *not be considered to be a fund transfer or allotment*  
5        *for purposes of applying the limitation on the total*  
6        *amount of allotments and fund transfers contained in*  
7        *such section.*

8        *SEC. 715. Notwithstanding any other provision of law,*  
9        *the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be*  
10       *waived for any amounts higher than those specified under*  
11       *this authority for fiscal year 2009.*

12       *SEC. 716. None of the funds made available in fiscal*  
13       *year 2013 or preceding fiscal years for programs authorized*  
14       *under the Food for Peace Act (7 U.S.C. 1691 et seq.) in*  
15       *excess of \$20,000,000 shall be used to reimburse the Com-*  
16       *modity Credit Corporation for the release of eligible com-*  
17       *modities under section 302(f)(2)(A) of the Bill Emerson*  
18       *Humanitarian Trust Act (7 U.S.C. 1736f-1): Provided,*  
19       *That any such funds made available to reimburse the Com-*  
20       *modity Credit Corporation shall only be used pursuant to*  
21       *section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian*  
22       *Trust Act.*

23       *SEC. 717. Of the funds made available by this Act, not*  
24       *more than \$1,800,000 shall be used to cover necessary ex-*  
25       *penses of activities related to all advisory committees, pan-*

1 *els, commissions, and task forces of the Department of Agri-*  
2 *culture, except for panels used to comply with negotiated*  
3 *rule makings and panels used to evaluate competitively*  
4 *awarded grants.*

5       *SEC. 718. None of the funds in this Act shall be avail-*  
6 *able to pay indirect costs charged against any agricultural*  
7 *research, education, or extension grant awards issued by the*  
8 *National Institute of Food and Agriculture that exceed 30*  
9 *percent of total Federal funds provided under each award:*  
10 *Provided, That notwithstanding section 1462 of the Na-*  
11 *tional Agricultural Research, Extension, and Teaching Pol-*  
12 *icy Act of 1977 (7 U.S.C. 3310), funds provided by this*  
13 *Act for grants awarded competitively by the National Insti-*  
14 *tute of Food and Agriculture shall be available to pay full*  
15 *allowable indirect costs for each grant awarded under sec-*  
16 *tion 9 of the Small Business Act (15 U.S.C. 638).*

17       *SEC. 719. For an additional amount for “Food and*  
18 *Drug Administration, Salaries and Expenses”,*  
19 *\$50,000,000, to remain available until expended, of which*  
20 *\$40,000,000 is for one-time activities directly related to im-*  
21 *plementation of the Food Safety Modernization Act, and of*  
22 *which \$10,000,000 is for one-time activities directly related*  
23 *to improving the safety of the human drug supply.*

24       *SEC. 720. There is hereby appropriated \$1,996,000 to*  
25 *carry out section 1621 of Public Law 110–246.*



1       *SEC. 721. None of the funds appropriated or otherwise*  
2       *made available by this or any other Act shall be used to*  
3       *pay the salaries and expenses of personnel to carry out the*  
4       *following:*

5               *(1) The Watershed Rehabilitation program au-*  
6       *thorized by section 14(h) of the Watershed Protection*  
7       *and Flood Prevention Act (16 U.S.C. 1012(h));*

8               *(2) The Environmental Quality Incentives Pro-*  
9       *gram as authorized by sections 1240–1240H of the*  
10       *Food Security Act of 1985 (16 U.S.C. 3839aa–*  
11       *3839aa–8) in excess of \$1,400,000,000;*

12               *(3) The Wildlife Habitat Incentives Act author-*  
13       *ized by section 1240N of the Food Security Act of*  
14       *1985, as amended (16 U.S.C. 3839bb–1)) in excess of*  
15       *\$73,000,000; and*

16               *(4) Agricultural Management Assistance Pro-*  
17       *gram as authorized by section 524 of the Federal*  
18       *Crop Insurance Act, as amended (7 U.S.C. 1524) in*  
19       *excess of \$2,500,000 for the Natural Resources Con-*  
20       *servation Service.*

21       *SEC. 722. None of the funds appropriated or otherwise*  
22       *made available by this or any other Act shall be used to*  
23       *pay the salaries and expenses of personnel to carry out a*  
24       *program under subsection (b)(2)(A)(v) of section 14222 of*  
25       *Public Law 110–246 in excess of \$981,000,000, as follows:*

1 *Child Nutrition Programs Entitlement Commodities—*  
2 *\$465,000,000; State Option Contracts—\$5,000,000; Re-*  
3 *moval of Defective Commodities—\$2,500,000: Provided,*  
4 *That none of the funds made available in this Act or any*  
5 *other Act shall be used for salaries and expenses to carry*  
6 *out in this fiscal year section 19(i)(1)(E) of the Richard*  
7 *B. Russell National School Lunch Act as amended by sec-*  
8 *tion 4304 of Public Law 110–246 in excess of \$41,000,000,*  
9 *including the transfer of funds under subsection (c) of sec-*  
10 *tion 14222 of Public Law 110–246, until October 1, 2013:*  
11 *Provided further, That \$117,000,000 made available on Oc-*  
12 *tober 1, 2013, to carry out section 19(i)(1)(E) of the Rich-*  
13 *ard B. Russell National School Lunch Act as amended by*  
14 *section 4304 of Public Law 110–246 shall be excluded from*  
15 *the limitation described in subsection (b)(2)(A)(vi) of sec-*  
16 *tion 14222 of Public Law 110–246: Provided further, That*  
17 *none of the funds appropriated or otherwise made available*  
18 *by this or any other Act shall be used to pay the salaries*  
19 *or expenses of any employee of the Department of Agri-*  
20 *culture or officer of the Commodity Credit Corporation to*  
21 *carry out clause 3 of section 32 of the Agricultural Adjust-*  
22 *ment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as*  
23 *amended), or for any surplus removal activities or price*  
24 *support activities under section 5 of the Commodity Credit*  
25 *Corporation Charter Act: Provided further, That of the*

1 *available unobligated balances under (b)(2)(A)(v) of section*  
2 *14222 of Public Law 110–246, \$150,000,000 are hereby re-*  
3 *scinded.*

4       *SEC. 723. Subject to authorizing legislation by the*  
5 *House Committee on Agriculture and the Senate Committee*  
6 *on Agriculture, Nutrition, and Forestry, the Secretary may*  
7 *reserve, through April 1, 2013, up to 5 percent of the fund-*  
8 *ing available for the following items for projects in areas*  
9 *that are engaged in strategic regional development planning*  
10 *as defined by the Secretary: business and industry guaran-*  
11 *teed loans; rural development loan fund; rural business en-*  
12 *terprise grants; rural business opportunity grants; rural*  
13 *economic development program; rural microenterprise pro-*  
14 *gram; biorefinery assistance program; rural energy for*  
15 *America program; value-added producer grants; broadband*  
16 *program; water and waste program; and rural community*  
17 *facilities program.*

18       *SEC. 724. There is hereby appropriated \$600,000 for*  
19 *the purposes of section 727 of division A of Public Law*  
20 *112–55.*

21       *SEC. 725. None of the funds appropriated by this or*  
22 *any other Act shall be used to pay the salaries and expenses*  
23 *of personnel who prepare or submit appropriations lan-*  
24 *guage as part of the President’s budget submission to the*  
25 *Congress of the United States for programs under the juris-*

1 *diction of the Appropriations Subcommittees on Agri-*  
2 *culture, Rural Development, Food and Drug Administra-*  
3 *tion, and Related Agencies that assumes revenues or reflects*  
4 *a reduction from the previous year due to user fees pro-*  
5 *posals that have not been enacted into law prior to the sub-*  
6 *mission of the budget unless such budget submission identi-*  
7 *fies which additional spending reductions should occur in*  
8 *the event the user fees proposals are not enacted prior to*  
9 *the date of the convening of a committee of conference for*  
10 *the fiscal year 2014 appropriations Act.*

11       *SEC. 726. (a) None of the funds provided by this Act,*  
12 *or provided by previous Appropriations Acts to the agencies*  
13 *funded by this Act that remain available for obligation or*  
14 *expenditure in the current fiscal year, or provided from any*  
15 *accounts in the Treasury of the United States derived by*  
16 *the collection of fees available to the agencies funded by this*  
17 *Act, shall be available for obligation or expenditure through*  
18 *a reprogramming, transfer of funds, or reimbursements as*  
19 *authorized by the Economy Act, or in the case of the De-*  
20 *partment of Agriculture, through use of the authority pro-*  
21 *vided by section 702(b) of the Department of Agriculture*  
22 *Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public*  
23 *Law 89–106 (7 U.S.C. 2263), that—*

24               *(1) creates new programs;*

25               *(2) eliminates a program, project, or activity;*

1           (3) increases funds or personnel by any means  
2       for any project or activity for which funds have been  
3       denied or restricted;

4           (4) relocates an office or employees;

5           (5) reorganizes offices, programs, or activities; or

6           (6) contracts out or privatizes any functions or  
7       activities presently performed by Federal employees;

8       unless the Secretary of Agriculture, the Secretary of Health  
9       and Human Services, or the Chairman of the Commodity  
10      Futures Trading Commission (as the case may be) notifies,  
11      in writing, the Committees on Appropriations of both  
12      Houses of Congress at least 30 days in advance of the re-  
13      programming of such funds or the use of such authority.

14      (b) None of the funds provided by this Act, or provided  
15      by previous Appropriations Acts to the agencies funded by  
16      this Act that remain available for obligation or expenditure  
17      in the current fiscal year, or provided from any accounts  
18      in the Treasury of the United States derived by the collec-  
19      tion of fees available to the agencies funded by this Act,  
20      shall be available for obligation or expenditure for activi-  
21      ties, programs, or projects through a reprogramming or use  
22      of the authorities referred to in subsection (a) involving  
23      funds in excess of \$500,000 or 10 percent, whichever is less,  
24      that—

1           (1) *augments existing programs, projects, or ac-*  
2           *tivities;*

3           (2) *reduces by 10 percent funding for any exist-*  
4           *ing program, project, or activity, or numbers of per-*  
5           *sonnel by 10 percent as approved by Congress; or*

6           (3) *results from any general savings from a re-*  
7           *duction in personnel which would result in a change*  
8           *in existing programs, activities, or projects as ap-*  
9           *proved by Congress; unless the Secretary of Agri-*  
10          *culture, the Secretary of Health and Human Services,*  
11          *or the Chairman of the Commodity Futures Trading*  
12          *Commission (as the case may be) notifies, in writing,*  
13          *the Committees on Appropriations of both Houses of*  
14          *Congress at least 30 days in advance of the re-*  
15          *programming or transfer of such funds or the use of*  
16          *such authority.*

17          (c) *The Secretary of Agriculture, the Secretary of*  
18          *Health and Human Services, or the Chairman of the Com-*  
19          *modity Futures Trading Commission shall notify in writ-*  
20          *ing the Committees on Appropriations of both Houses of*  
21          *Congress before implementing any program or activity not*  
22          *carried out during the previous fiscal year unless the pro-*  
23          *gram or activity is funded by this Act or specifically funded*  
24          *by any other Act.*

1       (d) *As described in this section, no funds may be used*  
2 *for any activities unless the Secretary of Agriculture, the*  
3 *Secretary of Health and Human Services or the Chairman*  
4 *of the Commodity Futures Trading Commission receives*  
5 *from the Committee on Appropriations of both Houses of*  
6 *Congress written or electronic mail confirmation of receipt*  
7 *of the notification as required in this section.*

8       SEC. 727. *Notwithstanding section 310B(g)(5) of the*  
9 *Consolidated Farm and Rural Development Act (7 U.S.C.*  
10 *1932(g)(5)), the Secretary may assess a one-time fee for any*  
11 *guaranteed business and industry loan in an amount that*  
12 *does not exceed 3 percent of the guaranteed principal por-*  
13 *tion of the loan.*

14       SEC. 728. *None of the funds appropriated or otherwise*  
15 *made available to the Department of Agriculture or the*  
16 *Food and Drug Administration shall be used to transmit*  
17 *or otherwise make available to any non-Department of Ag-*  
18 *riculture or non-Department of Health and Human Serv-*  
19 *ices employee questions or responses to questions that are*  
20 *a result of information requested for the appropriations*  
21 *hearing process.*

22       SEC. 729. *Unless otherwise authorized by existing law,*  
23 *none of the funds provided in this Act, may be used by an*  
24 *executive branch agency to produce any prepackaged news*  
25 *story intended for broadcast or distribution in the United*

1 *States unless the story includes a clear notification within*  
2 *the text or audio of the prepackaged news story that the*  
3 *prepackaged news story was prepared or funded by that ex-*  
4 *ecutive branch agency.*

5       *SEC. 730. No employee of the Department of Agri-*  
6 *culture may be detailed or assigned from an agency or office*  
7 *funded by this Act or any other Act to any other agency*  
8 *or office of the Department for more than 30 days unless*  
9 *the individual's employing agency or office is fully reim-*  
10 *bursed by the receiving agency or office for the salary and*  
11 *expenses of the employee for the period of assignment.*

12       *SEC. 731. Notwithstanding any other provision of law,*  
13 *any area eligible for rural housing programs of the Rural*  
14 *Housing Service on September 30, 2012, shall remain eligi-*  
15 *ble for such programs until September 30, 2013.*

16       *SEC. 732. None of the funds made available by this*  
17 *Act may be used to enter into a contract, memorandum of*  
18 *understanding, or cooperative agreement with, make a*  
19 *grant to, or provide a loan or loan guarantee to any cor-*  
20 *poration that was convicted (or had an officer or agent of*  
21 *such corporation acting on behalf of the corporation con-*  
22 *victed) of a felony criminal violation under any Federal*  
23 *or State law within the preceding 24 months, where the*  
24 *awarding agency is aware of the conviction, unless the*  
25 *agency has considered suspension or debarment of the cor-*



1 poration, or such officer or agent, and made a determina-  
2 tion that this further action is not necessary to protect the  
3 interests of the Government.

4       *SEC. 733. None of the funds made available by this*  
5 *Act may be used to enter into a contract, memorandum of*  
6 *understanding, or cooperative agreement with, make a*  
7 *grant to, or provide a loan or loan guarantee to, any cor-*  
8 *poration that any unpaid Federal tax liability that has*  
9 *been assessed, for which all judicial and administrative*  
10 *remedies have been exhausted or have lapsed, and that is*  
11 *not being paid in a timely manner pursuant to an agree-*  
12 *ment with the authority responsible for collecting the tax*  
13 *liability, where the awarding agency is aware of the unpaid*  
14 *tax liability, unless the agency has considered suspension*  
15 *or debarment of the corporation and made a determination*  
16 *that this further action is not necessary to protect the inter-*  
17 *ests of the Government.*

18       *SEC. 734. None of the funds made available by this*  
19 *Act may be used to pay the salaries and expenses of per-*  
20 *sonnel who provide nonrecourse marketing assistance loans*  
21 *for mohair under section 1201 of the Food, Conservation,*  
22 *and Energy Act of 2008 (7 U.S.C. 8731).*

23       *SEC. 735. In the event that a determination of non-*  
24 *regulated status made pursuant to section 411 of the Plant*  
25 *Protection Act is or has been invalidated or vacated, the*

1 *Secretary of Agriculture shall, notwithstanding any other*  
2 *provision of law, upon request by a farmer, grower, farm*  
3 *operator, or producer, immediately grant temporary per-*  
4 *mit(s) or temporary deregulation in part, subject to nec-*  
5 *essary and appropriate conditions consistent with section*  
6 *411(a) or 412(c) of the Plant Protection Act, which interim*  
7 *conditions shall authorize the movement, introduction, con-*  
8 *tinued cultivation, commercialization and other specifically*  
9 *enumerated activities and requirements, including meas-*  
10 *ures designed to mitigate or minimize potential adverse en-*  
11 *vironmental effects, if any, relevant to the Secretary's eval-*  
12 *uation of the petition for non-regulated status, while ensur-*  
13 *ing that growers or other users are able to move, plant, cul-*  
14 *tivate, introduce into commerce and carry out other author-*  
15 *ized activities in a timely manner: Provided, That all such*  
16 *conditions shall be applicable only for the interim period*  
17 *necessary for the Secretary to complete any required anal-*  
18 *yses or consultations related to the petition for non-regu-*  
19 *lated status: Provided further, That nothing in this section*  
20 *shall be construed as limiting the Secretary's authority*  
21 *under section 411, 412 and 414 of the Plant Protection Act.*

22 *SEC. 736. None of the funds made available by this*  
23 *or any other Act may be used to pay for mitigation associ-*  
24 *ated with the removal of Federal Energy Regulatory Com-*  
25 *mission Project number 2342.*

1        *SEC. 737. Of the unobligated balance of funds available*  
2 *to the Department of Agriculture for the cost of broadband*  
3 *loans under the heading “Rural Development Programs—*  
4 *Rural Utilities Service—Distance Learning, Telemedicine,*  
5 *and Broadband Program” in prior appropriation Acts,*  
6 *\$25,320,000 is rescinded.*

7        *SEC. 738. Of the unobligated balances provided pursu-*  
8 *ant to section 9004(d)(1) of the Farm Security and Rural*  
9 *Investment Act of 2002 (7 U.S.C. 8104), \$28,045,000 are*  
10 *hereby rescinded.*

11        *SEC. 739. Funds received by the Secretary of Agri-*  
12 *culture in the global settlement of any Federal litigation*  
13 *concerning Federal mortgage loans during fiscal year 2012*  
14 *may be expended, in addition to any other available funds,*  
15 *by the Rural Housing Service to pay for costs associated*  
16 *with servicing single family housing loans guaranteed by*  
17 *the Rural Housing Service and such funds shall remain*  
18 *available until expended.*

19        *SEC. 740. Not later than 30 days after the date of en-*  
20 *actment of this Act, the Secretary of Agriculture, the Com-*  
21 *missioner of the Food and Drug Administration, and the*  
22 *Chairman of the Farm Credit Administration shall submit*  
23 *to the Committees on Appropriations of the House of Rep-*  
24 *resentatives and the Senate a detailed spending plan by*

1 *program, project, and activity for the funds made available*  
2 *under this Act.*

3       *SEC. 741. There is hereby appropriated for the “Emer-*  
4 *gency Conservation Program”, \$11,100,000, to remain*  
5 *available until expended; for the “Emergency Forestry Res-*  
6 *toration Program”, \$14,200,000, to remain available until*  
7 *expended; and for the “Emergency Watershed Protection*  
8 *Program”, \$65,454,000, to remain available until ex-*  
9 *pended: Provided, That not less than \$48,257,000 made*  
10 *available for the Emergency Watershed Protection Program*  
11 *under this general provision are provided for necessary ex-*  
12 *penses for a major disaster declaration issued under the*  
13 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
14 *ance Act (42 U.S.C. 5121 et. seq.).*

15       *SEC. 742. None of the funds made available by this*  
16 *or any other Act may be used to write, prepare, or publish*  
17 *a final rule or an interim final rule in furtherance of, or*  
18 *otherwise to implement, “Implementation of Regulations*  
19 *Required Under Title XI, of the Food, Conservation and*  
20 *Energy Act of 2008; Conduct in Violation of the Act” (75*  
21 *Fed. Reg. 35338 (June 22, 2010)) unless the combined an-*  
22 *nual cost to the economy of such rules does not exceed*  
23 *\$100,000,000 or such rules have already been published in*  
24 *compliance with Section 721 of the Consolidated and Fur-*  
25 *ther Continuing Appropriations Act, 2012, Public Law*

1 112–55: *Provided, That no funds made available by this*  
2 *or any other Act be used to publish a final or interim final*  
3 *rule in furtherance of, or otherwise to implement, proposed*  
4 *sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210,*  
5 *201.211, 201.213, or 201.214 of “Implementation of Regula-*  
6 *tions Required Under Title XI of the Food, Conservation*  
7 *and Energy Act of 2008; Conduct in Violation of the Act”*  
8 *(75 Fed. Reg. 35338 (June 22, 2010)):* *Provided further,*  
9 *That none of the funds made available by this or any other*  
10 *Act may be used to implement such rules until 60 days from*  
11 *the publication date of such rules:* *Provided further, That*  
12 *none of the funds made available by this Act may be used*  
13 *to enforce or to take regulatory action based on or in fur-*  
14 *therance of sections 201.2(o), 201.3(a), or 201.215(a), of*  
15 *Title 9 of the Code of Federal Regulations, as they exist*  
16 *at the time this Act is passed, or to write, prepare, or pub-*  
17 *lish a final or interim final rule in furtherance of, or other-*  
18 *wise to implement, the definitions or criteria embodied in*  
19 *these sections:* *Provided further, That the Secretary of Agri-*  
20 *culture shall, within 60 days, rescind sections 201.2(o),*  
21 *201.3(a), or 201.215(a), of Title 9 of the Code of Federal*  
22 *Regulations.*

23       *SEC. 743. Notwithstanding any other provision of this*  
24 *Act—*

1           (1) *the amount made available for buildings op-*  
2           *erations and maintenance expenses in the matter be-*  
3           *fore the first proviso under the heading “AGRI-*  
4           *CULTURE BUILDINGS AND FACILITIES AND RENTAL*  
5           *PAYMENTS” under the heading “AGRICULTURAL*  
6           *PROGRAMS” in title I shall be \$52,169,000;*

7           (2) *the amount made available for necessary ex-*  
8           *penses to carry out services authorized by the Federal*  
9           *Meat Inspection Act, the Poultry Products Inspection*  
10          *Act, and the Egg Products Inspection Act in the mat-*  
11          *ter before the first proviso under the heading “FOOD*  
12          *SAFETY AND INSPECTION SERVICE” under the head-*  
13          *ing “AGRICULTURAL PROGRAMS” in title I shall*  
14          *be \$1,056,427,000; and*

15          (3) *the amount made available to provide com-*  
16          *petitive grants to State agencies in the second proviso*  
17          *under the heading “CHILD NUTRITION PROGRAMS”*  
18          *under the heading “FOOD AND NUTRITION SERVICE”*  
19          *under the heading “DOMESTIC FOOD PRO-*  
20          *GRAMS” in title IV shall be \$10,000,000.*

21          *This division may be cited as the “Agriculture, Rural*  
22          *Development, Food and Drug Administration, and Related*  
23          *Agencies Appropriations Act, 2013”.*

1 ***DIVISION B—COMMERCE, JUSTICE,***  
2 ***SCIENCE, AND RELATED AGENCIES AP-***  
3 ***PROPRIATIONS ACT, 2013***

4 *The following sums are hereby appropriated, out of*  
5 *any money in the Treasury not otherwise appropriated, for*  
6 *Departments of Commerce and Justice, and Science, and*  
7 *Related Agencies for the fiscal year ending September 30,*  
8 *2013, and for other purposes, namely:*

9 ***TITLE I***

10 ***DEPARTMENT OF COMMERCE***

11 ***INTERNATIONAL TRADE ADMINISTRATION***

12 ***OPERATIONS AND ADMINISTRATION***

13 *For necessary expenses for international trade activi-*  
14 *ties of the Department of Commerce provided for by law,*  
15 *and for engaging in trade promotional activities abroad,*  
16 *including expenses of grants and cooperative agreements for*  
17 *the purpose of promoting exports of United States firms,*  
18 *without regard to sections 3702 and 3703 of title 44, United*  
19 *States Code; full medical coverage for dependent members*  
20 *of immediate families of employees stationed overseas and*  
21 *employees temporarily posted overseas; travel and transpor-*  
22 *tation of employees of the International Trade Administra-*  
23 *tion between two points abroad, without regard to section*  
24 *40118 of title 49, United States Code; employment of citi-*  
25 *zens of the United States and aliens by contract for services;*

1 rental of space abroad for periods not exceeding 10 years,  
2 and expenses of alteration, repair, or improvement; pur-  
3 chase or construction of temporary demountable exhibition  
4 structures for use abroad; payment of tort claims, in the  
5 manner authorized in the first paragraph of section 2672  
6 of title 28, United States Code, when such claims arise in  
7 foreign countries; not to exceed \$294,300 for official rep-  
8 resentation expenses abroad; purchase of passenger motor  
9 vehicles for official use abroad, not to exceed \$45,000 per  
10 vehicle; obtaining insurance on official motor vehicles; and  
11 rental of tie lines, \$482,538,000, to remain available until  
12 September 30, 2014, of which \$11,360,000 is to be derived  
13 from fees to be retained and used by the International Trade  
14 Administration, notwithstanding section 3302 of title 31,  
15 United States Code: Provided, That, of amounts provided  
16 under this heading, not less than \$16,400,000 shall be for  
17 China antidumping and countervailing duty enforcement  
18 and compliance activities: Provided further, That the provi-  
19 sions of the first sentence of section 105(f) and all of section  
20 108(c) of the Mutual Educational and Cultural Exchange  
21 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply  
22 in carrying out these activities; and that for the purpose  
23 of this Act, contributions under the provisions of the Mutual  
24 Educational and Cultural Exchange Act of 1961 shall in-



1 *clude payment for assessments for services provided as part*  
2 *of these activities.*

3 *BUREAU OF INDUSTRY AND SECURITY*

4 *OPERATIONS AND ADMINISTRATION*

5 *For necessary expenses for export administration and*  
6 *national security activities of the Department of Commerce,*  
7 *including costs associated with the performance of export*  
8 *administration field activities both domestically and*  
9 *abroad; full medical coverage for dependent members of im-*  
10 *mediate families of employees stationed overseas; employ-*  
11 *ment of citizens of the United States and aliens by contract*  
12 *for services abroad; payment of tort claims, in the manner*  
13 *authorized in the first paragraph of section 2672 of title*  
14 *28, United States Code, when such claims arise in foreign*  
15 *countries; not to exceed \$13,500 for official representation*  
16 *expenses abroad; awards of compensation to informers*  
17 *under the Export Administration Act of 1979, and as au-*  
18 *thorized by section 1(b) of the Act of June 15, 1917 (40*  
19 *Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger*  
20 *motor vehicles for official use and motor vehicles for law*  
21 *enforcement use with special requirement vehicles eligible*  
22 *for purchase without regard to any price limitation other-*  
23 *wise established by law, \$101,796,000, to remain available*  
24 *until expended: Provided, That the provisions of the first*  
25 *sentence of section 105(f) and all of section 108(c) of the*

1 *Mutual Educational and Cultural Exchange Act of 1961*  
2 *(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying*  
3 *out these activities: Provided further, That payments and*  
4 *contributions collected and accepted for materials or serv-*  
5 *ices provided as part of such activities may be retained for*  
6 *use in covering the cost of such activities, and for providing*  
7 *information to the public with respect to the export admin-*  
8 *istration and national security activities of the Department*  
9 *of Commerce and other export control programs of the*  
10 *United States and other governments.*

11 *ECONOMIC DEVELOPMENT ADMINISTRATION*

12 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

13 *For grants for economic development assistance as pro-*  
14 *vided by the Public Works and Economic Development Act*  
15 *of 1965, for trade adjustment assistance, for the cost of loan*  
16 *guarantees authorized by section 26 of the Stevenson-Wydler*  
17 *Technology Innovation Act of 1980 (15 U.S.C. 3721), and*  
18 *for grants, and for the cost of loan guarantees authorized*  
19 *by section 27 (15 U.S.C. 3722) of such Act, \$187,300,000,*  
20 *to remain available until expended; of which \$5,000,000*  
21 *shall be for projects to facilitate the relocation, to the United*  
22 *States, of a source of employment located outside the United*  
23 *States; of which \$5,000,000 shall be for loan guarantees*  
24 *under section 26; and of which up to \$5,000,000 shall be*  
25 *for loan guarantees under section 27: Provided, That the*

1 *costs for loan guarantees, including the cost of modifying*  
2 *such loans, shall be as defined in section 502 of the Congres-*  
3 *sional Budget Act of 1974: Provided further, That these*  
4 *funds for loan guarantees under such sections 26 and 27*  
5 *combined are available to subsidize total loan principal,*  
6 *any part of which is to be guaranteed, not to exceed*  
7 *\$70,000,000.*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of administering the economic*  
10 *development assistance programs as provided for by law,*  
11 *\$37,500,000: Provided, That these funds may be used to*  
12 *monitor projects approved pursuant to title I of the Public*  
13 *Works Employment Act of 1976, title II of the Trade Act*  
14 *of 1974, and the Community Emergency Drought Relief Act*  
15 *of 1977.*

16 *MINORITY BUSINESS DEVELOPMENT AGENCY*

17 *MINORITY BUSINESS DEVELOPMENT*

18 *For necessary expenses of the Department of Commerce*  
19 *in fostering, promoting, and developing minority business*  
20 *enterprise, including expenses of grants, contracts, and*  
21 *other agreements with public or private organizations,*  
22 *\$28,689,000.*

1 *ECONOMIC AND STATISTICAL ANALYSIS*2 *SALARIES AND EXPENSES*

3 *For necessary expenses, as authorized by law, of eco-*  
4 *nomic and statistical analysis programs of the Department*  
5 *of Commerce, \$100,228,000, to remain available until Sep-*  
6 *tember 30, 2014.*

7 *BUREAU OF THE CENSUS*8 *SALARIES AND EXPENSES*

9 *For necessary expenses for collecting, compiling, ana-*  
10 *lyzing, preparing and publishing statistics, provided for by*  
11 *law, \$256,255,000: Provided, That, from amounts provided*  
12 *herein, funds may be used for promotion, outreach, and*  
13 *marketing activities.*

14 *PERIODIC CENSUSES AND PROGRAMS*

15 *For necessary expenses for collecting, compiling, ana-*  
16 *lyzing, preparing and publishing statistics for periodic cen-*  
17 *suses and programs, provided for by law, \$667,953,000, to*  
18 *remain available until September 30, 2014: Provided, That*  
19 *\$649,953,000 is appropriated from the general fund and*  
20 *\$18,000,000 is derived from available unobligated balances*  
21 *from the Census Working Capital Fund: Provided further,*  
22 *That from amounts provided herein, funds may be used for*  
23 *promotion, outreach, and marketing activities: Provided*  
24 *further, That within the amounts appropriated, \$1,000,000*  
25 *shall be transferred to the “Office of Inspector General” ac-*

1 *count for activities associated with carrying out investiga-*  
2 *tions and audits related to the Bureau of the Census.*

3 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

4 *ADMINISTRATION*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses, as provided for by law, of the*  
7 *National Telecommunications and Information Adminis-*  
8 *tration (NTIA), \$45,994,000, to remain available until*  
9 *September 30, 2014: Provided, That, notwithstanding 31*  
10 *U.S.C. 1535(d), the Secretary of Commerce shall charge*  
11 *Federal agencies for costs incurred in spectrum manage-*  
12 *ment, analysis, operations, and related services, and such*  
13 *fees shall be retained and used as offsetting collections for*  
14 *costs of such spectrum services, to remain available until*  
15 *expended: Provided further, That the Secretary of Com-*  
16 *merce is authorized to retain and use as offsetting collec-*  
17 *tions all funds transferred, or previously transferred, from*  
18 *other Government agencies for all costs incurred in tele-*  
19 *communications research, engineering, and related activi-*  
20 *ties by the Institute for Telecommunication Sciences of*  
21 *NTIA, in furtherance of its assigned functions under this*  
22 *paragraph, and such funds received from other Government*  
23 *agencies shall remain available until expended.*

1 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*  
2 *CONSTRUCTION*

3 *For the administration of prior-year grants, recoveries*  
4 *and unobligated balances of funds previously appropriated*  
5 *are available for the administration of all open grants until*  
6 *their expiration.*

7 *UNITED STATES PATENT AND TRADEMARK OFFICE*  
8 *SALARIES AND EXPENSES*  
9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For necessary expenses of the United States Patent and*  
11 *Trademark Office (USPTO) provided for by law, including*  
12 *defense of suits instituted against the Under Secretary of*  
13 *Commerce for Intellectual Property and Director of the*  
14 *USPTO, \$2,933,241,000, to remain available until ex-*  
15 *pended: Provided, That the sum herein appropriated from*  
16 *the general fund shall be reduced as offsetting collections*  
17 *of fees and surcharges assessed and collected by the USPTO*  
18 *under any law are received during fiscal year 2013, so as*  
19 *to result in a fiscal year 2013 appropriation from the gen-*  
20 *eral fund estimated at \$0: Provided further, That during*  
21 *fiscal year 2013, should the total amount of such offsetting*  
22 *collections be less than \$2,933,241,000 this amount shall be*  
23 *reduced accordingly: Provided further, That any amount re-*  
24 *ceived in excess of \$2,933,241,000 in fiscal year 2013 and*  
25 *deposited in the Patent and Trademark Fee Reserve Fund*

1 *shall remain available until expended: Provided further,*  
2 *That the Director of USPTO shall submit a spending plan*  
3 *to the Committees on Appropriations of the House of Rep-*  
4 *resentatives and the Senate for any amounts made available*  
5 *by the preceding proviso and such spending plan shall be*  
6 *treated as a reprogramming under section 505 of this Act*  
7 *and shall not be available for obligation or expenditure ex-*  
8 *cept in compliance with the procedures set forth in that sec-*  
9 *tion: Provided further, That from amounts provided herein,*  
10 *not to exceed \$900 shall be made available in fiscal year*  
11 *2013 for official reception and representation expenses: Pro-*  
12 *vided further, That in fiscal year 2013 from the amounts*  
13 *made available for “Salaries and Expenses” for the*  
14 *USPTO, the amounts necessary to pay (1) the difference*  
15 *between the percentage of basic pay contributed by the*  
16 *USPTO and employees under section 8334(a) of title 5,*  
17 *United States Code, and the normal cost percentage (as de-*  
18 *finied by section 8331(17) of that title) as provided by the*  
19 *Office of Personnel Management (OPM) for USPTO’s spe-*  
20 *cific use, of basic pay, of employees subject to subchapter*  
21 *III of chapter 83 of that title, and (2) the present value*  
22 *of the otherwise unfunded accruing costs, as determined by*  
23 *OPM for USPTO’s specific use of post-retirement life insur-*  
24 *ance and post-retirement health benefits coverage for all*  
25 *USPTO employees who are enrolled in Federal Employees*

1 *Health Benefits (FEHB) and Federal Employees Group*  
 2 *Life Insurance (FEGLI), shall be transferred to the Civil*  
 3 *Service Retirement and Disability Fund, the FEGLI Fund,*  
 4 *and the FEHB Fund, as appropriate, and shall be avail-*  
 5 *able for the authorized purposes of those accounts: Provided*  
 6 *further, That any differences between the present value fac-*  
 7 *tors published in OPM's yearly 300 series benefit letters and*  
 8 *the factors that OPM provides for USPTO's specific use*  
 9 *shall be recognized as an imputed cost on USPTO's finan-*  
 10 *cial statements, where applicable: Provided further, That,*  
 11 *notwithstanding any other provision of law, all fees and*  
 12 *surcharges assessed and collected by USPTO are available*  
 13 *for USPTO only pursuant to section 42(c) of title 35,*  
 14 *United States Code, as amended by section 22 of the Leahy-*  
 15 *Smith America Invents Act (Public Law 112-29): Provided*  
 16 *further, That within the amounts appropriated, \$2,000,000*  
 17 *shall be transferred to the "Office of Inspector General" ac-*  
 18 *count for activities associated with carrying out investiga-*  
 19 *tions and audits related to the USPTO.*

20 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*  
 21 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*

22 *For necessary expenses of the National Institute of*  
 23 *Standards and Technology (NIST), \$621,173,000, to re-*  
 24 *main available until expended, of which not to exceed*  
 25 *\$9,000,000 may be transferred to the "Working Capital*



1 *Fund”: Provided, That not to exceed \$5,000 shall be for offi-*  
 2 *cial reception and representation expenses: Provided fur-*  
 3 *ther, That NIST may provide local transportation for sum-*  
 4 *mer undergraduate research fellowship program partici-*  
 5 *pants.*

6 *INDUSTRIAL TECHNOLOGY SERVICES*

7 *For necessary expenses for industrial technology serv-*  
 8 *ices, \$143,000,000, to remain available until expended, of*  
 9 *which \$128,500,000 shall be for the Hollings Manufacturing*  
 10 *Extension Partnership, and of which \$14,500,000 shall be*  
 11 *for the Advanced Manufacturing Technology Consortia.*

12 *CONSTRUCTION OF RESEARCH FACILITIES*

13 *For construction of new research facilities, including*  
 14 *architectural and engineering design, and for renovation*  
 15 *and maintenance of existing facilities, not otherwise pro-*  
 16 *vided for the National Institute of Standards and Tech-*  
 17 *nology, as authorized by sections 13 through 15 of the Na-*  
 18 *tional Institute of Standards and Technology Act (15*  
 19 *U.S.C. 278c–278e), \$60,000,000, to remain available until*  
 20 *expended: Provided, That the Secretary of Commerce shall*  
 21 *include in the budget justification materials that the Sec-*  
 22 *retary submits to Congress in support of the Department*  
 23 *of Commerce budget (as submitted with the budget of the*  
 24 *President under section 1105(a) of title 31, United States*  
 25 *Code) an estimate for each National Institute of Standards*

1 *and Technology construction project having a total multi-*  
2 *year program cost of more than \$5,000,000 and simulta-*  
3 *neously the budget justification materials shall include an*  
4 *estimate of the budgetary requirements for each such project*  
5 *for each of the five subsequent fiscal years.*

6 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*  
7 *OPERATIONS, RESEARCH, AND FACILITIES*  
8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses of activities authorized by law*  
10 *for the National Oceanic and Atmospheric Administration,*  
11 *including maintenance, operation, and hire of aircraft and*  
12 *vessels; grants, contracts, or other payments to nonprofit*  
13 *organizations for the purposes of conducting activities pur-*  
14 *suant to cooperative agreements; and relocation of facilities,*  
15 *\$3,112,614,000, to remain available until September 30,*  
16 *2014, except that funds provided for cooperative enforce-*  
17 *ment shall remain available until September 30, 2015: Pro-*  
18 *vided, That fees and donations received by the National*  
19 *Ocean Service for the management of national marine sanc-*  
20 *tuaries may be retained and used for the salaries and ex-*  
21 *penses associated with those activities, notwithstanding sec-*  
22 *tion 3302 of title 31, United States Code: Provided further,*  
23 *That in addition, \$119,064,000 shall be derived by transfer*  
24 *from the fund entitled “Promote and Develop Fishery Prod-*  
25 *ucts and Research Pertaining to American Fisheries”,*

1 *which shall only be used for fishery activities related to Co-*  
2 *operative Research, Annual Stock Assessments, Survey and*  
3 *Monitoring Projects, Interjurisdictional Fisheries Grants,*  
4 *and Fish Information Networks: Provided further, That of*  
5 *the \$3,246,678,000 provided for in direct obligations under*  
6 *this heading \$3,112,614,000 is appropriated from the gen-*  
7 *eral fund, \$119,064,000 is provided by transfer and*  
8 *\$15,000,000 is derived from recoveries of prior year obliga-*  
9 *tions: Provided further, That the total amount available for*  
10 *National Oceanic and Atmospheric Administration cor-*  
11 *porate services administrative support costs shall not exceed*  
12 *\$212,664,000: Provided further, That any deviation from*  
13 *the amounts designated for specific activities in the state-*  
14 *ment accompanying this Act, or any use of deobligated bal-*  
15 *ances of funds provided under this heading in previous*  
16 *years, shall be subject to the procedures set forth in section*  
17 *505 of this Act: Provided further, That in allocating grants*  
18 *under sections 306 and 306A of the Coastal Zone Manage-*  
19 *ment Act of 1972, as amended, no coastal State shall receive*  
20 *more than 5 percent or less than 1 percent of increased*  
21 *funds appropriated over the previous fiscal year: Provided*  
22 *further, That in addition, for necessary retired pay expenses*  
23 *under the Retired Serviceman's Family Protection and*  
24 *Survivor Benefits Plan, and for payments for the medical*  
25 *care of retired personnel and their dependents under the*

1 *Dependents Medical Care Act (10 U.S.C. 55), such sums*  
2 *as may be necessary.*

3 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

4 *For procurement, acquisition and construction of cap-*  
5 *ital assets, including alteration and modification costs, of*  
6 *the National Oceanic and Atmospheric Administration,*  
7 *\$1,926,036,000, to remain available until September 30,*  
8 *2015, except that funds provided for construction of facili-*  
9 *ties shall remain available until expended: Provided, That*  
10 *of the \$1,941,036,000 provided for in direct obligations*  
11 *under this heading, \$1,926,036,000 is appropriated from*  
12 *the general fund and \$15,000,000 is provided from recov-*  
13 *eries of prior year obligations: Provided further, That any*  
14 *deviation from the amounts designated for specific activities*  
15 *in the statement accompanying this Act, or any use of*  
16 *deobligated balances of funds provided under this heading*  
17 *in previous years, shall be subject to the procedures set forth*  
18 *in section 505 of this Act: Provided further, That the Sec-*  
19 *retary of Commerce shall include in budget justification*  
20 *materials that the Secretary submits to Congress in support*  
21 *of the Department of Commerce budget (as submitted with*  
22 *the budget of the President under section 1105(a) of title*  
23 *31, United States Code) an estimate for each National Oce-*  
24 *anic and Atmospheric Administration procurement, acqui-*  
25 *sition or construction project having a total of more than*

1 \$5,000,000 and simultaneously the budget justification  
2 shall include an estimate of the budgetary requirements for  
3 each such project for each of the 5 subsequent fiscal years:  
4 Provided further, That, within the amounts appropriated,  
5 \$1,000,000 shall be transferred to the “Office of Inspector  
6 General” account for activities associated with carrying out  
7 investigations and audits related to satellite procurement,  
8 acquisition and construction.

9 *PACIFIC COASTAL SALMON RECOVERY*

10 *For necessary expenses associated with the restoration*  
11 *of Pacific salmon populations, \$65,000,000, to remain*  
12 *available until September 30, 2014: Provided, That, of the*  
13 *funds provided herein, the Secretary of Commerce may*  
14 *issue grants to the States of Washington, Oregon, Idaho,*  
15 *Nevada, California, and Alaska, and to the Federally recog-*  
16 *nized tribes of the Columbia River and Pacific Coast (in-*  
17 *cluding Alaska), for projects necessary for conservation of*  
18 *salmon and steelhead populations that are listed as threat-*  
19 *ened or endangered, or that are identified by a State as*  
20 *at-risk to be so listed, for maintaining populations nec-*  
21 *essary for exercise of tribal treaty fishing rights or native*  
22 *subsistence fishing, or for conservation of Pacific coastal*  
23 *salmon and steelhead habitat, based on guidelines to be de-*  
24 *veloped by the Secretary of Commerce: Provided further,*  
25 *That all funds shall be allocated based on scientific and*

1 *other merit principles and shall not be available for mar-*  
2 *keting activities: Provided further, That funds disbursed to*  
3 *States shall be subject to a matching requirement of funds*  
4 *or documented in-kind contributions of at least 33 percent*  
5 *of the Federal funds.*

6 *FISHERMEN'S CONTINGENCY FUND*

7 *For carrying out the provisions of title IV of Public*  
8 *Law 95-372, not to exceed \$350,000, to be derived from re-*  
9 *ceipts collected pursuant to that Act, to remain available*  
10 *until expended.*

11 *FISHERIES FINANCE PROGRAM ACCOUNT*

12 *Subject to section 502 of the Congressional Budget Act*  
13 *of 1974, during fiscal year 2013, obligations of direct loans*  
14 *may not exceed \$24,000,000 for Individual Fishing Quota*  
15 *loans and not to exceed \$59,000,000 for traditional direct*  
16 *loans as authorized by the Merchant Marine Act of 1936:*  
17 *Provided, That none of the funds made available under this*  
18 *heading may be used for direct loans for any new fishing*  
19 *vessel that will increase the harvesting capacity in any*  
20 *United States fishery.*

21 *DEPARTMENTAL MANAGEMENT*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses for the management of the De-*  
24 *partment of Commerce provided for by law, including not*  
25 *to exceed \$4,500 for official reception and representation,*

1 \$56,000,000: *Provided, That the Secretary of Commerce*  
2 *shall maintain a task force on job repatriation and manu-*  
3 *facturing growth and shall produce an annual report on*  
4 *related incentive strategies, implementation plans and pro-*  
5 *gram results.*

6 *RENOVATION AND MODERNIZATION*

7 *For expenses necessary for the renovation and mod-*  
8 *ernization of Department of Commerce facilities,*  
9 *\$2,040,000, to remain available until expended.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *For necessary expenses of the Office of Inspector Gen-*  
12 *eral in carrying out the provisions of the Inspector General*  
13 *Act of 1978 (5 U.S.C. App.), \$28,753,000.*

14 *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*

15 *SEC. 101. During the current fiscal year, applicable*  
16 *appropriations and funds made available to the Depart-*  
17 *ment of Commerce by this Act shall be available for the*  
18 *activities specified in the Act of October 26, 1949 (15 U.S.C.*  
19 *1514), to the extent and in the manner prescribed by the*  
20 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*  
21 *advanced payments not otherwise authorized only upon the*  
22 *certification of officials designated by the Secretary of Com-*  
23 *merce that such payments are in the public interest.*

24 *SEC. 102. During the current fiscal year, appropria-*  
25 *tions made available to the Department of Commerce by*

1 *this Act for salaries and expenses shall be available for hire*  
2 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*  
3 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*  
4 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
5 *5901–5902).*

6       *SEC. 103. Not to exceed 5 percent of any appropriation*  
7 *made available for the current fiscal year for the Depart-*  
8 *ment of Commerce in this Act may be transferred between*  
9 *such appropriations, but no such appropriation shall be in-*  
10 *creased by more than 10 percent by any such transfers: Pro-*  
11 *vided, That any transfer pursuant to this section shall be*  
12 *treated as a reprogramming of funds under section 505 of*  
13 *this Act and shall not be available for obligation or expendi-*  
14 *ture except in compliance with the procedures set forth in*  
15 *that section: Provided further, That the Secretary of Com-*  
16 *merce shall notify the Committees on Appropriations at*  
17 *least 15 days in advance of the acquisition or disposal of*  
18 *any capital asset (including land, structures, and equip-*  
19 *ment) not specifically provided for in this Act or any other*  
20 *law appropriating funds for the Department of Commerce.*

21       *SEC. 104. Any costs incurred by a department or agen-*  
22 *cy funded under this title resulting from personnel actions*  
23 *taken in response to funding reductions included in this*  
24 *title or from actions taken for the care and protection of*  
25 *loan collateral or grant property shall be absorbed within*



1 *the total budgetary resources available to such department*  
2 *or agency: Provided, That the authority to transfer funds*  
3 *between appropriations accounts as may be necessary to*  
4 *carry out this section is provided in addition to authorities*  
5 *included elsewhere in this Act: Provided further, That use*  
6 *of funds to carry out this section shall be treated as a re-*  
7 *programming of funds under section 505 of this Act and*  
8 *shall not be available for obligation or expenditure except*  
9 *in compliance with the procedures set forth in that section.*

10 *SEC. 105. (a) Section 105(f) of the Commerce, Justice,*  
11 *Science, and Related Agencies Appropriations Act, 2012*  
12 *(Public Law 112–55) is amended—*

13 *(1) by striking “paragraph (2)” and inserting*  
14 *“subsection (e)(2)”; and*

15 *(2) by striking “this subsection” and inserting*  
16 *“subsection (e)”.*

17 *(b) The requirements set forth by section 105 of the*  
18 *Commerce, Justice, Science, and Related Agencies Appro-*  
19 *priations Act, 2012 (Public Law 112–55), as amended by*  
20 *subsection (a) of this section, are hereby adopted by ref-*  
21 *erence.*

22 *SEC. 106. Notwithstanding any other provision of law,*  
23 *the Secretary may furnish services (including but not lim-*  
24 *ited to utilities, telecommunications, and security services)*  
25 *necessary to support the operation, maintenance, and im-*

1 *provement of space that persons, firms, or organizations are*  
2 *authorized, pursuant to the Public Buildings Cooperative*  
3 *Use Act of 1976 or other authority, to use or occupy in*  
4 *the Herbert C. Hoover Building, Washington, DC, or other*  
5 *buildings, the maintenance, operation, and protection of*  
6 *which has been delegated to the Secretary from the Adminis-*  
7 *trator of General Services pursuant to the Federal Property*  
8 *and Administrative Services Act of 1949 on a reimbursable*  
9 *or non-reimbursable basis. Amounts received as reimburse-*  
10 *ment for services provided under this section or the author-*  
11 *ity under which the use or occupancy of the space is author-*  
12 *ized, up to \$200,000, shall be credited to the appropriation*  
13 *or fund which initially bears the costs of such services.*

14       *SEC. 107. Nothing in this title shall be construed to*  
15 *prevent a grant recipient from deterring child pornography,*  
16 *copyright infringement, or any other unlawful activity over*  
17 *its networks.*

18       *SEC. 108. The Administrator of the National Oceanic*  
19 *and Atmospheric Administration is authorized to use, with*  
20 *their consent, with reimbursement and subject to the limits*  
21 *of available appropriations, the land, services, equipment,*  
22 *personnel, and facilities of any department, agency, or in-*  
23 *strumentality of the United States, or of any State, local*  
24 *government, Indian tribal government, Territory, or posses-*  
25 *sion, or of any political subdivision thereof, or of any for-*

1 *eign government or international organization, for purposes*  
2 *related to carrying out the responsibilities of any statute*  
3 *administered by the National Oceanic and Atmospheric Ad-*  
4 *ministration.*

5 *SEC. 109. The Department of Commerce shall provide*  
6 *a monthly report to the Committees on Appropriations of*  
7 *the House of Representatives and the Senate on any official*  
8 *travel to China by any employee of the U.S. Department*  
9 *of Commerce, including the purpose of such travel.*

10 *SEC. 110. Section 113(b)(3) of division B of Public*  
11 *Law 112–55 is amended by striking “2012” and inserting*  
12 *“2013”.*

13 *This title may be cited as the “Department of Com-*  
14 *merce Appropriations Act, 2013”.*

## 15 *TITLE II*

### 16 *DEPARTMENT OF JUSTICE*

#### 17 *GENERAL ADMINISTRATION*

#### 18 *SALARIES AND EXPENSES*

19 *For expenses necessary for the administration of the*  
20 *Department of Justice, \$110,822,000, of which not to exceed*  
21 *\$4,000,000 for security and construction of Department of*  
22 *Justice facilities shall remain available until expended.*

#### 23 *JUSTICE INFORMATION SHARING TECHNOLOGY*

24 *For necessary expenses for information sharing tech-*  
25 *nology, including planning, development, deployment and*

1 *departmental direction, \$33,426,000, to remain available*  
2 *until expended.*

3 *ADMINISTRATIVE REVIEW AND APPEALS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses necessary for the administration of par-*  
6 *don and clemency petitions and immigration-related activi-*  
7 *ties, \$313,438,000, of which \$4,000,000 shall be derived by*  
8 *transfer from the Executive Office for Immigration Review*  
9 *fees deposited in the “Immigration Examinations Fee” ac-*  
10 *count.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For necessary expenses of the Office of Inspector Gen-*  
13 *eral, \$85,985,000, including not to exceed \$10,000 to meet*  
14 *unforeseen emergencies of a confidential character.*

15 *UNITED STATES PAROLE COMMISSION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the United States Parole*  
18 *Commission as authorized, \$12,772,000.*

19 *LEGAL ACTIVITIES*

20 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

21 *For expenses necessary for the legal activities of the*  
22 *Department of Justice, not otherwise provided for, includ-*  
23 *ing not to exceed \$20,000 for expenses of collecting evidence,*  
24 *to be expended under the direction of, and to be accounted*  
25 *for solely under the certificate of, the Attorney General; and*

1 *rent of private or Government-owned space in the District*  
2 *of Columbia, \$881,000,000, of which not to exceed*  
3 *\$10,000,000 for litigation support contracts shall remain*  
4 *available until expended: Provided, That of the total*  
5 *amount appropriated, not to exceed \$9,000 shall be avail-*  
6 *able to INTERPOL Washington for official reception and*  
7 *representation expenses: Provided further, That notwith-*  
8 *standing section 205 of this Act, upon a determination by*  
9 *the Attorney General that emergent circumstances require*  
10 *additional funding for litigation activities of the Civil Divi-*  
11 *sion, the Attorney General may transfer such amounts to*  
12 *“Salaries and Expenses, General Legal Activities” from*  
13 *available appropriations for the current fiscal year for the*  
14 *Department of Justice, as may be necessary to respond to*  
15 *such circumstances: Provided further, That any transfer*  
16 *pursuant to the previous proviso shall be treated as a re-*  
17 *programming under section 505 of this Act and shall not*  
18 *be available for obligation or expenditure except in compli-*  
19 *ance with the procedures set forth in that section: Provided*  
20 *further, That of the amount appropriated, such sums as*  
21 *may be necessary shall be available to reimburse the Office*  
22 *of Personnel Management for salaries and expenses associ-*  
23 *ated with the election monitoring program under section*  
24 *8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): Pro-*  
25 *vided further, That of the amounts provided under this*

1 heading for the election monitoring program, \$3,390,000  
2 shall remain available until expended.

3       In addition, for reimbursement of expenses of the De-  
4 partment of Justice associated with processing cases under  
5 the National Childhood Vaccine Injury Act of 1986, not to  
6 exceed \$7,833,000, to be appropriated from the Vaccine In-  
7 jury Compensation Trust Fund.

8           SALARIES AND EXPENSES, ANTITRUST DIVISION

9       For expenses necessary for the enforcement of antitrust  
10 and kindred laws, \$162,170,000, to remain available until  
11 expended: Provided, That notwithstanding any other provi-  
12 sion of law, fees collected for premerger notification filings  
13 under the Hart-Scott-Rodino Antitrust Improvements Act  
14 of 1976 (15 U.S.C. 18a), regardless of the year of collection  
15 (and estimated to be \$115,000,000 in fiscal year 2013),  
16 shall be retained and used for necessary expenses in this  
17 appropriation, and shall remain available until expended:  
18 Provided further, That the sum herein appropriated from  
19 the general fund shall be reduced as such offsetting collec-  
20 tions are received during fiscal year 2013, so as to result  
21 in a final fiscal year 2013 appropriation from the general  
22 fund estimated at \$47,170,000.

23           SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

24       For necessary expenses of the Offices of the United  
25 States Attorneys, including inter-governmental and cooper-

1 *ative agreements, \$1,969,687,000: Provided, That of the*  
2 *total amount appropriated, not to exceed \$7,200 shall be*  
3 *available for official reception and representation expenses:*  
4 *Provided further, That not to exceed \$25,000,000 shall re-*  
5 *main available until expended: Provided further, That each*  
6 *United States Attorney shall establish or participate in a*  
7 *United States Attorney-led task force on human trafficking:*  
8 *Provided further, That of the total amount appropriated,*  
9 *\$10,000,000 shall only be available after the Attorney Gen-*  
10 *eral certifies that each United States Attorney is partici-*  
11 *pating in a United States Attorney-led task force on human*  
12 *trafficking.*

13 *UNITED STATES TRUSTEE SYSTEM FUND*

14 *For necessary expenses of the United States Trustee*  
15 *Program, as authorized, \$223,258,000, to remain available*  
16 *until expended and to be derived from the United States*  
17 *Trustee System Fund: Provided, That not less than*  
18 *\$1,500,000 shall be for debtor audits: Provided further,*  
19 *That, notwithstanding any other provision of law, deposits*  
20 *to the Fund shall be available in such amounts as may be*  
21 *necessary to pay refunds due depositors: Provided further,*  
22 *That, notwithstanding any other provision of law,*  
23 *\$223,258,000 of offsetting collections pursuant to section*  
24 *589a(b) of title 28, United States Code, shall be retained*  
25 *and used for necessary expenses in this appropriation and*

1 *shall remain available until expended: Provided further,*  
2 *That the sum herein appropriated from the Fund shall be*  
3 *reduced as such offsetting collections are received during fis-*  
4 *cal year 2013, so as to result in a final fiscal year 2013*  
5 *appropriation from the Fund estimated at \$0.*

6 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*

7 *COMMISSION*

8 *For expenses necessary to carry out the activities of*  
9 *the Foreign Claims Settlement Commission, including serv-*  
10 *ices as authorized by section 3109 of title 5, United States*  
11 *Code, \$2,000,000.*

12 *FEES AND EXPENSES OF WITNESSES*

13 *For fees and expenses of witnesses, for expenses of con-*  
14 *tracts for the procurement and supervision of expert wit-*  
15 *nesses, for private counsel expenses, including advances,*  
16 *and for expenses of foreign counsel, \$270,000,000, to remain*  
17 *available until expended, of which not to exceed \$10,000,000*  
18 *is for construction of buildings for protected witness*  
19 *safesites; not to exceed \$3,000,000 is for the purchase and*  
20 *maintenance of armored and other vehicles for witness secu-*  
21 *rity caravans; and not to exceed \$11,000,000 is for the pur-*  
22 *chase, installation, maintenance, and upgrade of secure*  
23 *telecommunications equipment and a secure automated in-*  
24 *formation network to store and retrieve the identities and*  
25 *locations of protected witnesses.*



1 *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*

2       *For necessary expenses of the Community Relations*  
3 *Service, \$12,036,000: Provided, That notwithstanding sec-*  
4 *tion 205 of this Act, upon a determination by the Attorney*  
5 *General that emergent circumstances require additional*  
6 *funding for conflict resolution and violence prevention ac-*  
7 *tivities of the Community Relations Service, the Attorney*  
8 *General may transfer such amounts to the Community Re-*  
9 *lations Service, from available appropriations for the cur-*  
10 *rent fiscal year for the Department of Justice, as may be*  
11 *necessary to respond to such circumstances: Provided fur-*  
12 *ther, That any transfer pursuant to the preceding proviso*  
13 *shall be treated as a reprogramming under section 505 of*  
14 *this Act and shall not be available for obligation or expendi-*  
15 *ture except in compliance with the procedures set forth in*  
16 *that section.*

17 *ASSETS FORFEITURE FUND*

18       *For expenses authorized by subparagraphs (B), (F),*  
19 *and (G) of section 524(c)(1) of title 28, United States Code,*  
20 *\$20,948,000, to be derived from the Department of Justice*  
21 *Assets Forfeiture Fund.*

22 *UNITED STATES MARSHALS SERVICE*23 *SALARIES AND EXPENSES*

24       *For necessary expenses of the United States Marshals*  
25 *Service, \$1,196,000,000, of which not to exceed \$6,000 shall*

1 *be available for official reception and representation ex-*  
 2 *penses, and not to exceed \$15,000,000 shall remain avail-*  
 3 *able until expended.*

4 *CONSTRUCTION*

5 *For construction in space controlled, occupied or uti-*  
 6 *lized by the United States Marshals Service for prisoner*  
 7 *holding and related support, \$10,000,000, to remain avail-*  
 8 *able until expended.*

9 *FEDERAL PRISONER DETENTION*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses related to United States pris-*  
 12 *oners in the custody of the United States Marshals Service*  
 13 *as authorized by section 4013 of title 18, United States*  
 14 *Code, \$1,647,383,000, to remain available until expended:*  
 15 *Provided, That not to exceed \$20,000,000 shall be considered*  
 16 *“funds appropriated for State and local law enforcement*  
 17 *assistance” pursuant to section 4013(b) of title 18, United*  
 18 *States Code: Provided further, That the United States Mar-*  
 19 *shals Service shall be responsible for managing the Justice*  
 20 *Prisoner and Alien Transportation System: Provided fur-*  
 21 *ther, That any unobligated balances available from funds*  
 22 *appropriated under the heading “General Administration,*  
 23 *Detention Trustee” shall be transferred to and merged with*  
 24 *the appropriation under this heading.*

1                    *NATIONAL SECURITY DIVISION*2                    *SALARIES AND EXPENSES*

3            *For expenses necessary to carry out the activities of*  
4 *the National Security Division, \$90,039,000, of which not*  
5 *to exceed \$5,000,000 for information technology systems*  
6 *shall remain available until expended: Provided, That not-*  
7 *withstanding section 205 of this Act, upon a determination*  
8 *by the Attorney General that emergent circumstances re-*  
9 *quire additional funding for the activities of the National*  
10 *Security Division, the Attorney General may transfer such*  
11 *amounts to this heading from available appropriations for*  
12 *the current fiscal year for the Department of Justice, as*  
13 *may be necessary to respond to such circumstances: Pro-*  
14 *vided further, That any transfer pursuant to the preceding*  
15 *proviso shall be treated as a reprogramming under section*  
16 *505 of this Act and shall not be available for obligation*  
17 *or expenditure except in compliance with the procedures set*  
18 *forth in that section.*

19                    *INTERAGENCY LAW ENFORCEMENT*20                    *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

21            *For necessary expenses for the identification, inves-*  
22 *tigation, and prosecution of individuals associated with the*  
23 *most significant drug trafficking and affiliated money*  
24 *laundering organizations not otherwise provided for, to in-*  
25 *clude inter-governmental agreements with State and local*

1 *law enforcement agencies engaged in the investigation and*  
2 *prosecution of individuals involved in organized crime drug*  
3 *trafficking, \$521,793,000, of which \$50,000,000 shall re-*  
4 *main available until expended: Provided, That any*  
5 *amounts obligated from appropriations under this heading*  
6 *may be used under authorities available to the organiza-*  
7 *tions reimbursed from this appropriation.*

8 *FEDERAL BUREAU OF INVESTIGATION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Federal Bureau of Inves-*  
11 *tigation for detection, investigation, and prosecution of*  
12 *crimes against the United States, \$8,185,007,000, of which*  
13 *not to exceed \$216,900,000 shall remain available until ex-*  
14 *pended: Provided, That not to exceed \$184,500 shall be*  
15 *available for official reception and representation expenses:*  
16 *Provided further, That \$500,000 shall be for a comprehen-*  
17 *sive review of the implementation of the recommendations*  
18 *related to the Federal Bureau of Investigation that were*  
19 *proposed in the report issued by the National Commission*  
20 *on Terrorist Attacks Upon the United States.*

21 *CONSTRUCTION*

22 *For necessary expenses, to include the cost of equip-*  
23 *ment, furniture, and information technology requirements,*  
24 *related to construction or acquisition of buildings, facilities*  
25 *and sites by purchase, or as otherwise authorized by law;*

1 *conversion, modification and extension of Federally-owned*  
2 *buildings; preliminary planning and design of projects; and*  
3 *operation and maintenance of secure work environment fa-*  
4 *cilities and secure networking capabilities; \$80,982,000, to*  
5 *remain available until expended.*

6 *DRUG ENFORCEMENT ADMINISTRATION*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Drug Enforcement Ad-*  
9 *ministration, including not to exceed \$70,000 to meet un-*  
10 *foreseen emergencies of a confidential character pursuant*  
11 *to section 530C of title 28, United States Code; and expenses*  
12 *for conducting drug education and training programs, in-*  
13 *cluding travel and related expenses for participants in such*  
14 *programs and the distribution of items of token value that*  
15 *promote the goals of such programs, \$2,050,904,000; of*  
16 *which not to exceed \$75,000,000 shall remain available*  
17 *until expended and not to exceed \$90,000 shall be available*  
18 *for official reception and representation expenses.*

19 *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*

20 *EXPLOSIVES*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Bureau of Alcohol, To-*  
23 *bacco, Firearms and Explosives, for training of State and*  
24 *local law enforcement agencies with or without reimburse-*  
25 *ment, including training in connection with the training*

1 and acquisition of canines for explosives and fire  
2 accelerants detection; and for provision of laboratory assist-  
3 ance to State and local law enforcement agencies, with or  
4 without reimbursement, \$1,153,345,000, of which not to ex-  
5 ceed \$36,000 shall be for official reception and representa-  
6 tion expenses, not to exceed \$1,000,000 shall be available  
7 for the payment of attorneys' fees as provided by section  
8 924(d)(2) of title 18, United States Code, and not to exceed  
9 \$15,000,000 shall remain available until expended: Pro-  
10 vided, That, in the current fiscal year and any fiscal year  
11 thereafter, no funds appropriated under this or any other  
12 Act shall be used to pay administrative expenses or the com-  
13 pensation of any officer or employee of the United States  
14 to implement an amendment or amendments to section  
15 478.118 of title 27, Code of Federal Regulations, or to  
16 change the definition of "Curios or relics" in section 478.11  
17 of title 27, Code of Federal Regulations, or remove any item  
18 from ATF Publication 5300.11 as it existed on January  
19 1, 1994: Provided further, That none of the funds appro-  
20 priated herein shall be available to investigate or act upon  
21 applications for relief from Federal firearms disabilities  
22 under section 925(c) of title 18, United States Code: Pro-  
23 vided further, That such funds shall be available to inves-  
24 tigate and act upon applications filed by corporations for  
25 relief from Federal firearms disabilities under section

1 925(c) of title 18, United States Code: Provided further,  
2 That no funds made available by this or any other Act may  
3 be used to transfer the functions, missions, or activities of  
4 the Bureau of Alcohol, Tobacco, Firearms and Explosives  
5 to other agencies or Departments: Provided further, That,  
6 in the current fiscal year and any fiscal year thereafter,  
7 no funds made available by this or any other Act shall be  
8 expended to promulgate or implement any rule requiring  
9 a physical inventory of any business licensed under section  
10 923 of title 18, United States Code: Provided further, That,  
11 in the current fiscal year and any fiscal year thereafter,  
12 no funds authorized or made available under this or any  
13 other Act may be used to deny any application for a license  
14 under section 923 of title 18, United States Code, or renewal  
15 of such a license due to a lack of business activity, provided  
16 that the applicant is otherwise eligible to receive such a li-  
17 cense, and is eligible to report business income or to claim  
18 an income tax deduction for business expenses under the  
19 Internal Revenue Code of 1986.

20 *FEDERAL PRISON SYSTEM*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses of the Federal Prison System*  
24 *for the administration, operation, and maintenance of Fed-*  
25 *eral penal and correctional institutions, including purchase*

1 *(not to exceed 835, of which 808 are for replacement only)*  
2 *and hire of law enforcement and passenger motor vehicles,*  
3 *and for the provision of technical assistance and advice on*  
4 *corrections related issues to foreign governments,*  
5 *\$6,820,217,000: Provided, That the Attorney General may*  
6 *transfer to the Health Resources and Services Administra-*  
7 *tion such amounts as may be necessary for direct expendi-*  
8 *tures by that Administration for medical relief for inmates*  
9 *of Federal penal and correctional institutions: Provided*  
10 *further, That the Director of the Federal Prison System,*  
11 *where necessary, may enter into contracts with a fiscal*  
12 *agent or fiscal intermediary claims processor to determine*  
13 *the amounts payable to persons who, on behalf of the Fed-*  
14 *eral Prison System, furnish health services to individuals*  
15 *committed to the custody of the Federal Prison System: Pro-*  
16 *vided further, That not to exceed \$5,400 shall be available*  
17 *for official reception and representation expenses: Provided*  
18 *further, That not to exceed \$50,000,000 shall remain avail-*  
19 *able for necessary operations until September 30, 2014:*  
20 *Provided further, That, of the amounts provided for con-*  
21 *tract confinement, not to exceed \$20,000,000 shall remain*  
22 *available until expended to make payments in advance for*  
23 *grants, contracts and reimbursable agreements, and other*  
24 *expenses authorized by section 501(c) of the Refugee Edu-*  
25 *cation Assistance Act of 1980 (8 U.S.C. 1522 note), for the*



1 *care and security in the United States of Cuban and Hai-*  
2 *tian entrants: Provided further, That the Director of the*  
3 *Federal Prison System may accept donated property and*  
4 *services relating to the operation of the prison card program*  
5 *from a not-for-profit entity which has operated such pro-*  
6 *gram in the past notwithstanding the fact that such not-*  
7 *for-profit entity furnishes services under contracts to the*  
8 *Federal Prison System relating to the operation of pre-re-*  
9 *lease services, halfway houses, or other custodial facilities:*  
10 *Provided further, That of the amount provided under this*  
11 *heading, not less than \$99,496,000 shall be for activation*  
12 *of newly constructed prisons in Berlin, New Hampshire,*  
13 *Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton,*  
14 *West Virginia, as requested in the Department's fiscal year*  
15 *2013 budget.*

16 *BUILDINGS AND FACILITIES*

17 *For planning, acquisition of sites and construction of*  
18 *new facilities; purchase and acquisition of facilities and re-*  
19 *modeling, and equipping of such facilities for penal and*  
20 *correctional use, including all necessary expenses incident*  
21 *thereto, by contract or force account; and constructing, re-*  
22 *modeling, and equipping necessary buildings and facilities*  
23 *at existing penal and correctional institutions, including*  
24 *all necessary expenses incident thereto, by contract or force*  
25 *account, \$90,000,000, to remain available until expended,*

1 *of which not less than \$66,965,000 shall be available only*  
2 *for modernization, maintenance and repair, and of which*  
3 *not to exceed \$14,000,000 shall be available to construct*  
4 *areas for inmate work programs: Provided, That labor of*  
5 *United States prisoners may be used for work performed*  
6 *under this appropriation.*

7 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

8 *The Federal Prison Industries, Incorporated, is hereby*  
9 *authorized to make such expenditures, within the limits of*  
10 *funds and borrowing authority available, and in accord*  
11 *with the law, and to make such contracts and commitments,*  
12 *without regard to fiscal year limitations as provided by sec-*  
13 *tion 9104 of title 31, United States Code, as may be nec-*  
14 *essary in carrying out the program set forth in the budget*  
15 *for the current fiscal year for such corporation, including*  
16 *purchase (not to exceed five for replacement only) and hire*  
17 *of passenger motor vehicles.*

18 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*

19 *PRISON INDUSTRIES, INCORPORATED*

20 *Not to exceed \$2,700,000 of the funds of the Federal*  
21 *Prison Industries, Incorporated shall be available for its ad-*  
22 *ministrative expenses, and for services as authorized by sec-*  
23 *tion 3109 of title 5, United States Code, to be computed*  
24 *on an accrual basis to be determined in accordance with*  
25 *the corporation's current prescribed accounting system, and*

1 *such amounts shall be exclusive of depreciation, payment*  
 2 *of claims, and expenditures which such accounting system*  
 3 *requires to be capitalized or charged to cost of commodities*  
 4 *acquired or produced, including selling and shipping ex-*  
 5 *penses, and expenses in connection with acquisition, con-*  
 6 *struction, operation, maintenance, improvement, protec-*  
 7 *tion, or disposition of facilities and other property belong-*  
 8 *ing to the corporation or in which it has an interest.*

9        *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*

10                *OFFICE ON VIOLENCE AGAINST WOMEN*

11                *VIOLENCE AGAINST WOMEN PREVENTION AND*

12                *PROSECUTION PROGRAMS*

13        *For grants, contracts, cooperative agreements, and*  
 14 *other assistance for the prevention and prosecution of vio-*  
 15 *lence against women, as authorized by the Omnibus Crime*  
 16 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*  
 17 *seq.) (“the 1968 Act”); the Violent Crime Control and Law*  
 18 *Enforcement Act of 1994 (Public Law 103–322) (“the 1994*  
 19 *Act”); the Victims of Child Abuse Act of 1990 (Public Law*  
 20 *101–647) (“the 1990 Act”); the Prosecutorial Remedies and*  
 21 *Other Tools to end the Exploitation of Children Today Act*  
 22 *of 2003 (Public Law 108–21); the Juvenile Justice and De-*  
 23 *linquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)*  
 24 *(“the 1974 Act”); the Victims of Trafficking and Violence*  
 25 *Protection Act of 2000 (Public Law 106–386) (“the 2000*

1 *Act”); and the Violence Against Women and Department*  
2 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
3 *162) (“the 2005 Act”); and for related victims services,*  
4 *\$416,500,000, to remain available until expended: Pro-*  
5 *vided, That except as otherwise provided by law, not to ex-*  
6 *ceed 5 percent of funds made available under this heading*  
7 *may be used for expenses related to evaluation, training,*  
8 *and technical assistance: Provided further, That of the*  
9 *amount provided—*

10           (1) *\$189,000,000 is for grants to combat violence*  
11 *against women, as authorized by part T of the 1968*  
12 *Act;*

13           (2) *\$25,000,000 is for transitional housing as-*  
14 *sistance grants for victims of domestic violence, stalk-*  
15 *ing or sexual assault as authorized by section 40299*  
16 *of the 1994 Act;*

17           (3) *\$3,500,000 is for the National Institute of*  
18 *Justice for research and evaluation of violence against*  
19 *women and related issues addressed by grant pro-*  
20 *grams of the Office on Violence Against Women,*  
21 *which may be transferred to “Research, Evaluation*  
22 *and Statistics” for administration by the Office of*  
23 *Justice Programs;*

24           (4) *\$10,000,000 is for a grant program to pro-*  
25 *vide services to advocate for and respond to youth vic-*

1        *tims of domestic violence, dating violence, sexual as-*  
2        *sault, and stalking; assistance to children and youth*  
3        *exposed to such violence; programs to engage men and*  
4        *youth in preventing such violence; and assistance to*  
5        *middle and high school students through education*  
6        *and other services related to such violence: Provided,*  
7        *That unobligated balances available for the programs*  
8        *authorized by sections 41201, 41204, 41303 and*  
9        *41305 of the 1994 Act shall be available for this pro-*  
10       *gram: Provided further, That 10 percent of the total*  
11       *amount available for this grant program shall be*  
12       *available for grants under the program authorized by*  
13       *section 2015 of the 1968 Act: Provided further, That*  
14       *the definitions and grant conditions in section 40002*  
15       *of the 1994 Act shall apply to this program;*

16            *(5) \$50,000,000 is for grants to encourage arrest*  
17        *policies as authorized by part U of the 1968 Act, of*  
18        *which \$4,000,000 is for a homicide reduction initia-*  
19        *tive;*

20            *(6) \$25,000,000 is for sexual assault victims as-*  
21        *sistance, as authorized by section 41601 of the 1994*  
22        *Act;*

23            *(7) \$36,500,000 is for rural domestic violence*  
24        *and child abuse enforcement assistance grants, as au-*  
25        *thorized by section 40295 of the 1994 Act;*

1           (8) \$9,000,000 is for grants to reduce violent  
2 crimes against women on campus, as authorized by  
3 section 304 of the 2005 Act;

4           (9) \$41,000,000 is for legal assistance for vic-  
5 tims, as authorized by section 1201 of the 2000 Act;

6           (10) \$4,250,000 is for enhanced training and  
7 services to end violence against and abuse of women  
8 in later life, as authorized by section 40802 of the  
9 1994 Act;

10          (11) \$15,500,000 is for a grant program to sup-  
11 port families in the justice system, including for the  
12 purposes described in the safe havens for children pro-  
13 gram, as authorized by section 1301 of the 2000 Act,  
14 and the court training and improvements program,  
15 as authorized by section 41002 of the 1994 Act;

16          (12) \$5,750,000 is for education and training to  
17 end violence against and abuse of women with dis-  
18 abilities, as authorized by section 1402 of the 2000  
19 Act;

20          (13) \$500,000 is for the National Resource Cen-  
21 ter on Workplace Responses to assist victims of do-  
22 mestic violence, as authorized by section 41501 of the  
23 1994 Act;

24          (14) \$1,000,000 is for analysis and research on  
25 violence against Indian women, including as author-

1        *ized by section 904 of the 2005 Act, which may be*  
 2        *transferred to “Research, Evaluation and Statistics”*  
 3        *for administration by the Office of Justice Programs;*  
 4        *and*

5                *(15) \$500,000 is for the Office on Violence*  
 6        *Against Women to establish a national clearinghouse*  
 7        *that provides training and technical assistance on*  
 8        *issues relating to sexual assault of American Indian*  
 9        *and Alaska Native women.*

10                        *OFFICE OF JUSTICE PROGRAMS*

11                        *RESEARCH, EVALUATION AND STATISTICS*

12        *For grants, contracts, cooperative agreements, and*  
 13        *other assistance authorized by title I of the Omnibus Crime*  
 14        *Control and Safe Streets Act of 1968 (“the 1968 Act”); the*  
 15        *Juvenile Justice and Delinquency Prevention Act of 1974*  
 16        *(“the 1974 Act”); the Missing Children’s Assistance Act (42*  
 17        *U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other*  
 18        *Tools to end the Exploitation of Children Today Act of 2003*  
 19        *(Public Law 108–21); the Justice for All Act of 2004 (Pub-*  
 20        *lic Law 108–405); the Violence Against Women and De-*  
 21        *partment of Justice Reauthorization Act of 2005 (Public*  
 22        *Law 109–162) (“the 2005 Act”); the Victims of Child Abuse*  
 23        *Act of 1990 (Public Law 101–647); the Second Chance Act*  
 24        *of 2007 (Public Law 110–199); the Victims of Crime Act*  
 25        *of 1984 (Public Law 98–473); the Adam Walsh Child Pro-*

1 *tection and Safety Act of 2006 (Public Law 109–248) (“the*  
2 *Adam Walsh Act”); the PROTECT Our Children Act of*  
3 *2008 (Public Law 110–401); subtitle D of title II of the*  
4 *Homeland Security Act of 2002 (Public Law 107–296)*  
5 *(“the 2002 Act”); the NICS Improvement Amendments Act*  
6 *of 2007 (Public Law 110–180); and other programs,*  
7 *\$127,000,000, to remain available until expended, of*  
8 *which—*

9           (1) *\$48,000,000 is for criminal justice statistics*  
10 *programs, and other activities, as authorized by part*  
11 *C of title I of the 1968 Act, of which \$36,000,000 is*  
12 *for the administration and redesign of the National*  
13 *Crime Victimization Survey;*

14           (2) *\$43,000,000 is for research, development, and*  
15 *evaluation programs, and other activities as author-*  
16 *ized by part B of title I of the 1968 Act and subtitle*  
17 *D of title II of the 2002 Act: Provided, That of the*  
18 *amounts provided under this paragraph, \$5,000,000*  
19 *is transferred directly to the National Institute of*  
20 *Standards and Technology’s Office of Law Enforce-*  
21 *ment Standards from the National Institute of Justice*  
22 *for research, testing and evaluation programs;*

23           (3) *\$1,000,000 is for an evaluation clearinghouse*  
24 *program; and*



1           (4) \$35,000,000 is for regional information shar-  
2           ing activities, as authorized by part M of title I of  
3           the 1968 Act.

4           STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

5           For grants, contracts, cooperative agreements, and  
6           other assistance authorized by the Violent Crime Control  
7           and Law Enforcement Act of 1994 (Public Law 103–322)  
8           (“the 1994 Act”); the Omnibus Crime Control and Safe  
9           Streets Act of 1968 (“the 1968 Act”); the Justice for All  
10          Act of 2004 (Public Law 108–405); the Victims of Child  
11          Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);  
12          the Trafficking Victims Protection Reauthorization Act of  
13          2005 (Public Law 109–164); the Violence Against Women  
14          and Department of Justice Reauthorization Act of 2005  
15          (Public Law 109–162) (“the 2005 Act”); the Adam Walsh  
16          Child Protection and Safety Act of 2006 (Public Law 109–  
17          248) (“the Adam Walsh Act”); the Victims of Trafficking  
18          and Violence Protection Act of 2000 (Public Law 106–386);  
19          the NICS Improvement Amendments Act of 2007 (Public  
20          Law 110–180); subtitle D of title II of the Homeland Secu-  
21          rity Act of 2002 (Public Law 107–296) (“the 2002 Act”);  
22          the Second Chance Act of 2007 (Public Law 110–199); the  
23          Prioritizing Resources and Organization for Intellectual  
24          Property Act of 2008 (Public Law 110–403); the Victims  
25          of Crime Act of 1984 (Public Law 98–473); the Mentally

1 *Ill Offender Treatment and Crime Reduction Reauthoriza-*  
2 *tion and Improvement Act of 2008 (Public Law 110–416);*  
3 *and other programs, \$1,140,418,000, to remain available*  
4 *until expended as follows—*

5           (1) *\$392,418,000 for the Edward Byrne Memo-*  
6 *rial Justice Assistance Grant program as authorized*  
7 *by subpart 1 of part E of title I of the 1968 Act (ex-*  
8 *cept that section 1001(c), and the special rules for*  
9 *Puerto Rico under section 505(g), of title I of the*  
10 *1968 Act shall not apply for purposes of this Act), of*  
11 *which, notwithstanding such subpart 1, \$2,000,000 is*  
12 *for a program to improve State and local law enforce-*  
13 *ment intelligence capabilities including antiterrorism*  
14 *training and training to ensure that constitutional*  
15 *rights, civil liberties, civil rights, and privacy inter-*  
16 *ests are protected throughout the intelligence process,*  
17 *\$4,000,000 is for a State, local, and tribal assistance*  
18 *help desk and diagnostic center program, \$5,000,000*  
19 *is for a Preventing Violence Against Law Enforce-*  
20 *ment Officer Resilience and Survivability Initiative*  
21 *(VALOR), \$6,000,000 is for a criminal justice reform*  
22 *and recidivism reduction program, and \$4,000,000 is*  
23 *for use by the National Institute of Justice for re-*  
24 *search targeted toward developing a better under-*  
25 *standing of the domestic radicalization phenomenon,*

1       *and advancing evidence-based strategies for effective*  
2       *intervention and prevention;*

3               (2) \$255,000,000 for the State Criminal Alien  
4       *Assistance Program, as authorized by section*  
5       *241(i)(5) of the Immigration and Nationality Act (8*  
6       *U.S.C. 1231(i)(5)): Provided, That no jurisdiction*  
7       *shall request compensation for any cost greater than*  
8       *the actual cost for Federal immigration and other de-*  
9       *tainees housed in State and local detention facilities;*

10              (3) \$5,000,000 for a border prosecutor initiative  
11       *to reimburse State, county, parish, tribal, or munic-*  
12       *ipal governments for costs associated with the pros-*  
13       *ecution of criminal cases declined by local offices of*  
14       *the United States Attorneys;*

15              (4) \$19,000,000 for competitive grants to im-  
16       *prove the functioning of the criminal justice system,*  
17       *to prevent or combat juvenile delinquency, and to as-*  
18       *sist victims of crime (other than compensation);*

19              (5) \$13,500,000 for victim services programs for  
20       *victims of trafficking, as authorized by section*  
21       *107(b)(2) of Public Law 106–386, and for programs*  
22       *authorized under Public Law 109–164;*

23              (6) \$41,000,000 for Drug Courts, as authorized  
24       *by section 1001(a)(25)(A) of title I of the 1968 Act;*

1           (7) \$9,000,000 for mental health courts and  
2           adult and juvenile collaboration program grants, as  
3           authorized by parts V and HH of title I of the 1968  
4           Act, and the Mentally Ill Offender Treatment and  
5           Crime Reduction Reauthorization and Improvement  
6           Act of 2008 (Public Law 110–416);

7           (8) \$12,500,000 for grants for Residential Sub-  
8           stance Abuse Treatment for State Prisoners, as au-  
9           thorized by part S of title I of the 1968 Act;

10          (9) \$3,000,000 for the Capital Litigation Im-  
11          provement Grant Program, as authorized by section  
12          426 of Public Law 108–405, and for grants for  
13          wrongful conviction review;

14          (10) \$9,000,000 for economic, high technology  
15          and Internet crime prevention grants, including as  
16          authorized by section 401 of Public Law 110–403;

17          (11) \$4,000,000 for a student loan repayment as-  
18          sistance program pursuant to section 952 of Public  
19          Law 110–315;

20          (12) \$20,000,000 for implementation of the  
21          Adam Walsh Act and related activities;

22          (13) \$13,000,000 for an initiative relating to  
23          children exposed to violence;

24          (14) \$18,000,000 for an Edward Byrne Memo-  
25          rial criminal justice innovation program;

1           (15) \$21,500,000 for the matching grant pro-  
2           gram for law enforcement armor vests, as authorized  
3           by section 2501 of title I of the 1968 Act: Provided,  
4           That \$1,500,000 is transferred directly to the Na-  
5           tional Institute of Standards and Technology's Office  
6           of Law Enforcement Standards for research, testing  
7           and evaluation programs;

8           (16) \$1,000,000 for the National Sex Offender  
9           Public Website;

10          (17) \$5,000,000 for competitive and evidence-  
11          based programs to reduce gun crime and gang vio-  
12          lence;

13          (18) \$12,000,000 for grants to assist State and  
14          tribal governments and related activities, as author-  
15          ized by the NICS Improvement Amendments Act of  
16          2007 (Public Law 110–180);

17          (19) \$6,000,000 for the National Criminal His-  
18          tory Improvement Program for grants to upgrade  
19          criminal records;

20          (20) \$12,000,000 for Paul Coverdell Forensic  
21          Sciences Improvement Grants under part BB of title  
22          I of the 1968 Act;

23          (21) \$125,000,000 for DNA-related and forensic  
24          programs and activities, of which—

1           (A) \$117,000,000 is for a DNA analysis  
2           and capacity enhancement program and for  
3           other local, State, and Federal forensic activities,  
4           including the purposes authorized under section  
5           2 of the DNA Analysis Backlog Elimination Act  
6           of 2000 (the Debbie Smith DNA Backlog Grant  
7           Program): Provided, That up to 4 percent of  
8           funds made available under this paragraph may  
9           be used for the purposes described in the DNA  
10          Training and Education for Law Enforcement,  
11          Correctional Personnel, and Court Officers pro-  
12          gram (Public Law 108–405, section 303);

13          (B) \$4,000,000 is for the purposes described  
14          in the Kirk Bloodsworth Post-Conviction DNA  
15          Testing Program (Public Law 108–405, section  
16          412); and

17          (C) \$4,000,000 is for Sexual Assault Foren-  
18          sic Exam Program Grants, including as author-  
19          ized by section 304 of Public Law 108–405;

20          (22) \$6,000,000 for the court-appointed special  
21          advocate program, as authorized by section 217 of the  
22          1990 Act;

23          (23) \$38,000,000 for assistance to Indian tribes;

24          (24) \$68,750,000 for offender reentry programs  
25          and research, as authorized by the Second Chance Act

1        *of 2007 (Public Law 110–199), of which not to exceed*  
2        *\$5,000,000 is for a program to improve State, local,*  
3        *and tribal probation supervision efforts and strate-*  
4        *gies;*

5            *(25) \$4,000,000 for a veterans treatment courts*  
6        *program;*

7            *(26) \$1,000,000 for the purposes described in the*  
8        *Missing Alzheimer’s Disease Patient Alert Program*  
9        *(section 240001 of the 1994 Act);*

10          *(27) \$7,000,000 for a program to monitor pre-*  
11        *scription drugs and scheduled listed chemical prod-*  
12        *ucts;*

13          *(28) \$12,500,000 for prison rape prevention and*  
14        *prosecution grants to States and units of local govern-*  
15        *ment, and other programs, as authorized by the Pris-*  
16        *on Rape Elimination Act of 2003 (Public Law 108–*  
17        *79);*

18          *(29) \$3,500,000 for emergency law enforcement*  
19        *assistance, as authorized by section 609M of the Jus-*  
20        *tice Assistance Act of 1984 (42 U.S.C. 10513; Public*  
21        *Law 98–473); and*

22          *(30) \$2,750,000 to establish and operate a Na-*  
23        *tional Center for Campus Public Safety:*

24        *Provided, That, if a unit of local government uses any of*  
25        *the funds made available under this heading to increase the*

1 *number of law enforcement officers, the unit of local govern-*  
 2 *ment will achieve a net gain in the number of law enforce-*  
 3 *ment officers who perform non-administrative public sector*  
 4 *safety service.*

5 *JUVENILE JUSTICE PROGRAMS*

6 *For grants, contracts, cooperative agreements, and*  
 7 *other assistance authorized by the Juvenile Justice and De-*  
 8 *linquency Prevention Act of 1974 (“the 1974 Act”); the Om-*  
 9 *nibus Crime Control and Safe Streets Act of 1968 (“the*  
 10 *1968 Act”); the Violence Against Women and Department*  
 11 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
 12 *162) (“the 2005 Act”); the Missing Children’s Assistance*  
 13 *Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies*  
 14 *and Other Tools to end the Exploitation of Children Today*  
 15 *Act of 2003 (Public Law 108–21); the Victims of Child*  
 16 *Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);*  
 17 *the Adam Walsh Child Protection and Safety Act of 2006*  
 18 *(Public Law 109–248) (“the Adam Walsh Act”); the PRO-*  
 19 *TECT Our Children Act of 2008 (Public Law 110–401);*  
 20 *and other juvenile justice programs, \$279,500,000, to re-*  
 21 *main available until expended as follows—*

22 *(1) \$44,000,000 for programs authorized by sec-*  
 23 *tion 221 of the 1974 Act, and for training and tech-*  
 24 *nical assistance to assist small, nonprofit organiza-*  
 25 *tions with the Federal grants process: Provided, That*



1       *of the amounts provided under this paragraph,*  
2       *\$500,000 shall be for a competitive demonstration*  
3       *grant program to support emergency planning among*  
4       *State, local and tribal juvenile justice residential fa-*  
5       *cilities;*

6               *(2) \$90,000,000 for youth mentoring grants;*

7               *(3) \$20,000,000 for delinquency prevention, as*  
8       *authorized by section 505 of the 1974 Act, of which,*  
9       *pursuant to sections 261 and 262 thereof—*

10              *(A) \$10,000,000 shall be for the Tribal*  
11       *Youth Program;*

12              *(B) \$5,000,000 shall be for gang and youth*  
13       *violence education, prevention and intervention,*  
14       *and related activities; and*

15              *(C) \$5,000,000 shall be for programs and*  
16       *activities to enforce State laws prohibiting the*  
17       *sale of alcoholic beverages to minors or the pur-*  
18       *chase or consumption of alcoholic beverages by*  
19       *minors, for prevention and reduction of con-*  
20       *sumption of alcoholic beverages by minors, and*  
21       *for technical assistance and training;*

22              *(4) \$19,000,000 for programs authorized by the*  
23       *Victims of Child Abuse Act of 1990;*

24              *(5) \$25,000,000 for the Juvenile Accountability*  
25       *Block Grants program as authorized by part R of*

1        *title I of the 1968 Act and Guam shall be considered*  
2        *a State;*

3            (6) *\$11,000,000 for community-based violence*  
4        *prevention initiatives;*

5            (7) *\$67,000,000 for missing and exploited chil-*  
6        *dren programs, including as authorized by sections*  
7        *404(b) and 405(a) of the 1974 Act (except that section*  
8        *102(b)(4)(B) of the PROTECT Our Children Act of*  
9        *2008 (Public Law 110–401) shall not apply for pur-*  
10       *poses of this Act);*

11           (8) *\$1,500,000 for child abuse training programs*  
12       *for judicial personnel and practitioners, as authorized*  
13       *by section 222 of the 1990 Act; and*

14           (9) *\$2,000,000 for grants and technical assist-*  
15       *ance in support of the National Forum on Youth Vio-*  
16       *lence Prevention;*

17 *Provided, That not more than 10 percent of each amount*  
18 *may be used for research, evaluation, and statistics activi-*  
19 *ties designed to benefit the programs or activities author-*  
20 *ized: Provided further, That not more than 2 percent of the*  
21 *amounts designated under paragraphs (1) through (6), (8)*  
22 *and (9) may be used for training and technical assistance:*  
23 *Provided further, That the previous two provisos shall not*  
24 *apply to grants and projects authorized by sections 261 and*  
25 *262 of the 1974 Act.*

1                   PUBLIC SAFETY OFFICER BENEFITS

2           *For payments and expenses authorized under section*  
3 *1001(a)(4) of title I of the Omnibus Crime Control and Safe*  
4 *Streets Act of 1968, such sums as are necessary (including*  
5 *amounts for administrative costs), to remain available*  
6 *until expended; and \$16,300,000 for payments authorized*  
7 *by section 1201(b) of such Act and for educational assist-*  
8 *ance authorized by section 1218 of such Act, to remain*  
9 *available until expended: Provided, That notwithstanding*  
10 *section 205 of this Act, upon a determination by the Attor-*  
11 *ney General that emergent circumstances require additional*  
12 *funding for such disability and education payments, the At-*  
13 *torney General may transfer such amounts to “Public Safe-*  
14 *ty Officer Benefits” from available appropriations for the*  
15 *Department of Justice as may be necessary to respond to*  
16 *such circumstances: Provided further, That any transfer*  
17 *pursuant to the previous proviso shall be treated as a re-*  
18 *programming under section 505 of this Act and shall not*  
19 *be available for obligation or expenditure except in compli-*  
20 *ance with the procedures set forth in that section.*

21                   COMMUNITY ORIENTED POLICING SERVICES

22           COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

23           *For activities authorized by the Violent Crime Control*  
24 *and Law Enforcement Act of 1994 (Public Law 103–322);*  
25 *the Omnibus Crime Control and Safe Streets Act of 1968*

1 (“the 1968 Act”); and the Violence Against Women and De-  
2 partment of Justice Reauthorization Act of 2005 (Public  
3 Law 109–162) (“the 2005 Act”), \$222,500,000, to remain  
4 available until expended: Provided, That any balances  
5 made available through prior year deobligations shall only  
6 be available in accordance with section 505 of this Act: Pro-  
7 vided further, That of the amount provided—

8           (1) \$12,500,000 is for anti-methamphetamine-re-  
9       lated activities, which shall be transferred to the Drug  
10      Enforcement Administration upon enactment of this  
11      Act;

12           (2) \$20,000,000 is for improving tribal law en-  
13      forcement, including hiring, equipment, training, and  
14      anti-methamphetamine activities; and

15           (3) \$190,000,000 is for grants under section  
16      1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for  
17      the hiring and rehiring of additional career law en-  
18      forcement officers under part Q of such title notwith-  
19      standing subsection (i) of such section: Provided,  
20      That, notwithstanding section 1704(c) of such title  
21      (42 U.S.C. 3796dd–3(c)), funding for hiring or rehir-  
22      ing a career law enforcement officer may not exceed  
23      \$125,000 unless the Director of the Office of Commu-  
24      nity Oriented Policing Services grants a waiver from  
25      this limitation: Provided further, That within the

1        *amounts appropriated, \$15,000,000 shall be trans-*  
2        *ferred to the Tribal Resources Grant Program: Pro-*  
3        *vided further, That of the amounts appropriated*  
4        *under this paragraph, \$10,000,000 is for community*  
5        *policing development activities in furtherance of the*  
6        *purposes in section 1701.*

7        *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

8        *SEC. 201. In addition to amounts otherwise made*  
9        *available in this title for official reception and representa-*  
10       *tion expenses, a total of not to exceed \$50,000 from funds*  
11       *appropriated to the Department of Justice in this title shall*  
12       *be available to the Attorney General for official reception*  
13       *and representation expenses.*

14       *SEC. 202. None of the funds appropriated by this title*  
15       *shall be available to pay for an abortion, except where the*  
16       *life of the mother would be endangered if the fetus were car-*  
17       *ried to term, or in the case of rape: Provided, That should*  
18       *this prohibition be declared unconstitutional by a court of*  
19       *competent jurisdiction, this section shall be null and void.*

20       *SEC. 203. None of the funds appropriated under this*  
21       *title shall be used to require any person to perform, or fa-*  
22       *cilitate in any way the performance of, any abortion.*

23       *SEC. 204. Nothing in the preceding section shall re-*  
24       *move the obligation of the Director of the Bureau of Prisons*  
25       *to provide escort services necessary for a female inmate to*

1 *receive such service outside the Federal facility: Provided,*  
2 *That nothing in this section in any way diminishes the*  
3 *effect of section 203 intended to address the philosophical*  
4 *beliefs of individual employees of the Bureau of Prisons.*

5       *SEC. 205. Not to exceed 5 percent of any appropriation*  
6 *made available for the current fiscal year for the Depart-*  
7 *ment of Justice in this Act may be transferred between such*  
8 *appropriations, but no such appropriation, except as other-*  
9 *wise specifically provided, shall be increased by more than*  
10 *10 percent by any such transfers: Provided, That any trans-*  
11 *fer pursuant to this section shall be treated as a reprogram-*  
12 *ming of funds under section 505 of this Act and shall not*  
13 *be available for obligation except in compliance with the*  
14 *procedures set forth in that section.*

15       *SEC. 206. The Attorney General is authorized to extend*  
16 *through September 30, 2014, the Personnel Management*  
17 *Demonstration Project transferred to the Attorney General*  
18 *pursuant to section 1115 of the Homeland Security Act of*  
19 *2002 (Public Law 107–296; 28 U.S.C. 599B) without limi-*  
20 *tation on the number of employees or the positions covered.*

21       *SEC. 207. Notwithstanding any other provision of law,*  
22 *during the current fiscal year and any fiscal year there-*  
23 *after, section 102(b) of the Departments of Commerce, Jus-*  
24 *tice, and State, the Judiciary, and Related Agencies Appro-*  
25 *priations Act, 1993 (Public Law 102–395) shall extend to*

1 *the Bureau of Alcohol, Tobacco, Firearms and Explosives*  
2 *in the conduct of undercover investigative operations and*  
3 *shall apply with respect to any undercover investigative op-*  
4 *eration by the Bureau of Alcohol, Tobacco, Firearms and*  
5 *Explosives that is necessary for the detection and prosecu-*  
6 *tion of crimes against the United States.*

7       *SEC. 208. None of the funds made available to the De-*  
8 *partment of Justice in this Act may be used for the purpose*  
9 *of transporting an individual who is a prisoner pursuant*  
10 *to conviction for crime under State or Federal law and is*  
11 *classified as a maximum or high security prisoner, other*  
12 *than to a prison or other facility certified by the Federal*  
13 *Bureau of Prisons as appropriately secure for housing such*  
14 *a prisoner.*

15       *SEC. 209. (a) None of the funds appropriated by this*  
16 *Act may be used by Federal prisons to purchase cable tele-*  
17 *vision services, or to rent or purchase audiovisual or elec-*  
18 *tronic media or equipment used primarily for recreational*  
19 *purposes.*

20       *(b) Subsection (a) does not preclude the rental, mainte-*  
21 *nance, or purchase of audiovisual or electronic media or*  
22 *equipment for inmate training, religious, or educational*  
23 *programs.*

24       *SEC. 210. None of the funds made available under this*  
25 *title shall be obligated or expended for any new or enhanced*

1 *information technology program having total estimated de-*  
2 *velopment costs in excess of \$100,000,000, unless the Deputy*  
3 *Attorney General and the investment review board certify*  
4 *to the Committees on Appropriations of the House of Rep-*  
5 *resentatives and the Senate that the information technology*  
6 *program has appropriate program management controls*  
7 *and contractor oversight mechanisms in place, and that the*  
8 *program is compatible with the enterprise architecture of*  
9 *the Department of Justice.*

10       *SEC. 211. The notification thresholds and procedures*  
11 *set forth in section 505 of this Act shall apply to deviations*  
12 *from the amounts designated for specific activities in this*  
13 *Act and accompanying statement, and to any use of*  
14 *deobligated balances of funds provided under this title in*  
15 *previous years.*

16       *SEC. 212. None of the funds appropriated by this Act*  
17 *may be used to plan for, begin, continue, finish, process,*  
18 *or approve a public-private competition under the Office*  
19 *of Management and Budget Circular A-76 or any successor*  
20 *administrative regulation, directive, or policy for work per-*  
21 *formed by employees of the Bureau of Prisons or of Federal*  
22 *Prison Industries, Incorporated.*

23       *SEC. 213. Notwithstanding any other provision of law,*  
24 *no funds shall be available for the salary, benefits, or ex-*  
25 *penses of any United States Attorney assigned dual or addi-*



1 tional responsibilities by the Attorney General or his des-  
2 ignee that exempt that United States Attorney from the  
3 residency requirements of section 545 of title 28, United  
4 States Code.

5       SEC. 214. At the discretion of the Attorney General,  
6 and in addition to any amounts that otherwise may be  
7 available (or authorized to be made available) by law, with  
8 respect to funds appropriated by this title under the head-  
9 ings “Research, Evaluation and Statistics”, “State and  
10 Local Law Enforcement Assistance”, and “Juvenile Justice  
11 Programs”—

12               (1) up to 3 percent of funds made available to  
13 the Office of Justice Programs for grant or reimburse-  
14 ment programs may be used by such Office to provide  
15 training and technical assistance; and

16               (2) up to 2 percent of funds made available for  
17 grant or reimbursement programs under such head-  
18 ings, except for amounts appropriated specifically for  
19 research, evaluation, or statistical programs adminis-  
20 tered by the National Institute of Justice and the Bu-  
21 reau of Justice Statistics, shall be transferred to and  
22 merged with funds provided to the National Institute  
23 of Justice and the Bureau of Justice Statistics, to be  
24 used by them for research, evaluation or statistical  
25 purposes, without regard to the authorizations for

1        *such grant or reimbursement programs, and of such*  
2        *amounts, \$1,300,000 shall be transferred to the Bu-*  
3        *reau of Prisons for Federal inmate research and eval-*  
4        *uation purposes.*

5        *SEC. 215. Upon request by a grantee for whom the At-*  
6        *torney General has determined there is a fiscal hardship,*  
7        *the Attorney General may, with respect to funds appro-*  
8        *priated by this or any other Act making appropriations*  
9        *for fiscal years 2010 through 2013 for the following pro-*  
10       *grams, waive the following requirements:*

11            *(1) For the Adult and Juvenile Offender State*  
12        *and Local Reentry Demonstration Projects under*  
13        *part FF of title I of the Omnibus Crime Control and*  
14        *Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the*  
15        *requirements under section 2976(g)(1) of such part.*

16            *(2) For State, Tribal, and Local Reentry Courts*  
17        *under part FF of title I of such Act of 1968 (42*  
18        *U.S.C. 3797w-2(e)(1) and (2)), the requirements*  
19        *under section 2978(e)(1) and (2) of such part.*

20            *(3) For the Prosecution Drug Treatment Alter-*  
21        *natives to Prison Program under part CC of title I*  
22        *of such Act of 1968 (42 U.S.C. 3797q-3), the require-*  
23        *ments under section 2904 of such part.*

24            *(4) For Grants to Protect Inmates and Safe-*  
25        *guard Communities under the Prison Rape Elimini-*

1        *nation Act of 2003 (42 U.S.C. 15605(c)(3)), the re-*  
2        *quirements of section 6(c)(3) of such Act.*

3        *SEC. 216. Notwithstanding any other provision of law,*  
4        *section 20109(a) of subtitle A of title II of the Violent Crime*  
5        *Control and Law Enforcement Act of 1994 (42 U.S.C.*  
6        *13709(a)) shall not apply to amounts made available by*  
7        *this or any other Act.*

8        *SEC. 217. None of the funds made available under this*  
9        *Act, other than for the national instant criminal back-*  
10       *ground check system established under section 103 of the*  
11       *Brady Handgun Violence Prevention Act (18 U.S.C. 922*  
12       *note), may be used by a Federal law enforcement officer*  
13       *to facilitate the transfer of an operable firearm to an indi-*  
14       *vidual if the Federal law enforcement officer knows or sus-*  
15       *pects that the individual is an agent of a drug cartel, unless*  
16       *law enforcement personnel of the United States continu-*  
17       *ously monitor or control the firearm at all times.*

18       *SEC. 218. (a) None of the income retained in the De-*  
19       *partment of Justice Working Capital Fund pursuant to*  
20       *title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.*  
21       *527 note) shall be available for obligation during fiscal year*  
22       *2013.*

23       *(b) Not to exceed \$30,000,000 of the unobligated bal-*  
24       *ances transferred to the capital account of the Department*  
25       *of Justice Working Capital Fund pursuant to title I of Pub-*

1 *lic Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall*  
2 *be available for obligation in fiscal year 2013, and any use,*  
3 *obligation, transfer or allocation of such funds shall be*  
4 *treated as a reprogramming of funds under section 505 of*  
5 *this Act.*

6       (c) *Not to exceed \$10,000,000 of the excess unobligated*  
7 *balances available under section 524(c)(8)(E) of title 28,*  
8 *United States Code, shall be available for obligation during*  
9 *fiscal year 2013, and any use, obligation, transfer or alloca-*  
10 *tion of such funds shall be treated as a reprogramming of*  
11 *funds under section 505 of this Act.*

12       (d) *Of amounts available in the Assets Forfeiture Fund*  
13 *in fiscal year 2013, \$154,700,000 shall be for payments as-*  
14 *sociated with joint law enforcement operations as author-*  
15 *ized by section 524(c)(1)(I) of title 28, United States Code.*

16       (e) *The Attorney General shall submit a spending plan*  
17 *to the Committees on Appropriations of the House of Rep-*  
18 *resentatives and the Senate not later than 45 days after*  
19 *the date of enactment of this Act detailing the planned dis-*  
20 *tribution of Assets Forfeiture Fund joint law enforcement*  
21 *operations funding during fiscal year 2013.*

22       (f) *Subsections (a) through (d) of this section shall sun-*  
23 *set on September 30, 2013.*

24       *This title may be cited as the “Department of Justice*  
25 *Appropriations Act, 2013”.*

1 *TITLE III*2 *SCIENCE*3 *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

4 *For necessary expenses of the Office of Science and*  
5 *Technology Policy, in carrying out the purposes of the Na-*  
6 *tional Science and Technology Policy, Organization, and*  
7 *Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of pas-*  
8 *senger motor vehicles, and services as authorized by section*  
9 *3109 of title 5, United States Code, not to exceed \$2,250*  
10 *for official reception and representation expenses, and rent-*  
11 *al of conference rooms in the District of Columbia,*  
12 *\$5,850,000.*

13 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*14 *SCIENCE*

15 *For necessary expenses, not otherwise provided for, in*  
16 *the conduct and support of science research and develop-*  
17 *ment activities, including research, development, oper-*  
18 *ations, support, and services; maintenance and repair, fa-*  
19 *cility planning and design; space flight, spacecraft control,*  
20 *and communications activities; program management; per-*  
21 *sonnel and related costs, including uniforms or allowances*  
22 *therefor, as authorized by sections 5901 and 5902 of title*  
23 *5, United States Code; travel expenses; purchase and hire*  
24 *of passenger motor vehicles; and purchase, lease, charter,*  
25 *maintenance, and operation of mission and administrative*

1 aircraft, \$5,144,000,000, to remain available until Sep-  
2 tember 30, 2014, of which up to \$14,500,000 shall be avail-  
3 able for a reimbursable agreement with the Department of  
4 Energy for the purpose of re-establishing facilities to  
5 produce fuel required for radioisotope thermoelectric genera-  
6 tors to enable future missions: Provided, That \$75,000,000  
7 shall be for pre-formulation and/or formulation activities  
8 for a mission that meets the science goals outlined for the  
9 Jupiter Europa mission in the most recent planetary  
10 science decadal survey: Provided further, That the formula-  
11 tion and development costs (with development cost as de-  
12 fined under section 30104 of title 51, United States Code)  
13 for the James Webb Space Telescope shall not exceed  
14 \$8,000,000,000: Provided further, That should the indi-  
15 vidual identified under subsection (c)(2)(E) of section  
16 30104 of title 51, United States Code, as responsible for the  
17 James Webb Space Telescope determine that the develop-  
18 ment cost of the program is likely to exceed that limitation,  
19 the individual shall immediately notify the Administrator  
20 and the increase shall be treated as if it meets the 30 percent  
21 threshold described in subsection (f) of section 30104.

22 AERONAUTICS

23 For necessary expenses, not otherwise provided for, in  
24 the conduct and support of aeronautics research and devel-  
25 opment activities, including research, development, oper-

1 ations, support, and services; maintenance and repair, fa-  
2 cility planning and design; space flight, spacecraft control,  
3 and communications activities; program management; per-  
4 sonnel and related costs, including uniforms or allowances  
5 therefor, as authorized by sections 5901 and 5902 of title  
6 5, United States Code; travel expenses; purchase and hire  
7 of passenger motor vehicles; and purchase, lease, charter,  
8 maintenance, and operation of mission and administrative  
9 aircraft, \$570,000,000, to remain available until September  
10 30, 2014.

11 *SPACE TECHNOLOGY*

12 *For necessary expenses, not otherwise provided for, in*  
13 *the conduct and support of space research and technology*  
14 *development activities, including research, development, op-*  
15 *erations, support, and services; maintenance and repair, fa-*  
16 *cility planning and design; space flight, spacecraft control,*  
17 *and communications activities; program management; per-*  
18 *sonnel and related costs, including uniforms or allowances*  
19 *therefor, as authorized by sections 5901 and 5902 of title*  
20 *5, United States Code; travel expenses; purchase and hire*  
21 *of passenger motor vehicles; and purchase, lease, charter,*  
22 *maintenance, and operation of mission and administrative*  
23 *aircraft, \$642,000,000, to remain available until September*  
24 *30, 2014.*

## EXPLORATION

1  
2       *For necessary expenses, not otherwise provided for, in*  
3 *the conduct and support of exploration research and devel-*  
4 *opment activities, including research, development, oper-*  
5 *ations, support, and services; maintenance and repair, fa-*  
6 *cility planning and design; space flight, spacecraft control,*  
7 *and communications activities; program management; per-*  
8 *sonnel and related costs, including uniforms or allowances*  
9 *therefor, as authorized by sections 5901 and 5902 of title*  
10 *5, United States Code; travel expenses; purchase and hire*  
11 *of passenger motor vehicles; and purchase, lease, charter,*  
12 *maintenance, and operation of mission and administrative*  
13 *aircraft, \$3,887,000,000, to remain available until Sep-*  
14 *tember 30, 2014: Provided, That not less than*  
15 *\$1,197,000,000 shall be for the Orion Multi-Purpose Crew*  
16 *Vehicle: Provided further, That not less than \$1,857,000,000*  
17 *shall be for the Space Launch System, which shall have a*  
18 *lift capability not less than 130 tons and which shall have*  
19 *an upper stage and other core elements developed simulta-*  
20 *neously: Provided further, That of the funds made available*  
21 *for the Space Launch System, \$1,454,200,000 shall be for*  
22 *launch vehicle development and \$402,800,000 shall be for*  
23 *exploration ground systems: Provided further, That funds*  
24 *made available for the Orion Multi-Purpose Crew Vehicle*  
25 *and Space Launch System are in addition to funds pro-*



1 *vided for these programs under the “Construction and En-*  
2 *vironmental Compliance and Restoration” heading: Pro-*  
3 *vided further, That \$525,000,000 shall be for commercial*  
4 *spaceflight activities: Provided further, That \$308,000,000*  
5 *shall be for exploration research and development.*

6 *SPACE OPERATIONS*

7 *For necessary expenses, not otherwise provided for, in*  
8 *the conduct and support of space operations research and*  
9 *development activities, including research, development, op-*  
10 *erations, support and services; space flight, spacecraft con-*  
11 *trol and communications activities, including operations,*  
12 *production, and services; maintenance and repair, facility*  
13 *planning and design; program management; personnel and*  
14 *related costs, including uniforms or allowances therefor, as*  
15 *authorized by sections 5901 and 5902 of title 5, United*  
16 *States Code; travel expenses; purchase and hire of passenger*  
17 *motor vehicles; and purchase, lease, charter, maintenance*  
18 *and operation of mission and administrative aircraft,*  
19 *\$3,953,000,000, to remain available until September 30,*  
20 *2014.*

21 *EDUCATION*

22 *For necessary expenses, not otherwise provided for, in*  
23 *carrying out aerospace and aeronautical education research*  
24 *and development activities, including research, develop-*  
25 *ment, operations, support, and services; program manage-*

1 ment; personnel and related costs, including uniforms or  
2 allowances therefor, as authorized by sections 5901 and  
3 5902 of title 5, United States Code; travel expenses; pur-  
4 chase and hire of passenger motor vehicles; and purchase,  
5 lease, charter, maintenance, and operation of mission and  
6 administrative aircraft, \$125,000,000, to remain available  
7 until September 30, 2014, of which \$18,000,000 shall be for  
8 the *Experimental Program to Stimulate Competitive Re-*  
9 *search* and \$40,000,000 shall be for the *National Space*  
10 *Grant College* program.

11 CROSS AGENCY SUPPORT

12 For necessary expenses, not otherwise provided for, in  
13 the conduct and support of science, aeronautics, explo-  
14 ration, space operations and education research and devel-  
15 opment activities, including research, development, oper-  
16 ations, support, and services; maintenance and repair, fa-  
17 cility planning and design; space flight, spacecraft control,  
18 and communications activities; program management; per-  
19 sonnel and related costs, including uniforms or allowances  
20 therefor, as authorized by sections 5901 and 5902 of title  
21 5, United States Code; travel expenses; purchase and hire  
22 of passenger motor vehicles; not to exceed \$63,000 for offi-  
23 cial reception and representation expenses; and purchase,  
24 lease, charter, maintenance, and operation of mission and  
25 administrative aircraft, \$2,823,000,000, to remain avail-

1 *able until September 30, 2014: Provided, That not less than*  
2 *\$39,100,000 shall be available for independent verification*  
3 *and validation activities.*

4 *CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND*  
5 *RESTORATION*

6 *For necessary expenses for construction of facilities in-*  
7 *cluding repair, rehabilitation, revitalization, and modifica-*  
8 *tion of facilities, construction of new facilities and addi-*  
9 *tions to existing facilities, facility planning and design,*  
10 *and restoration, and acquisition or condemnation of real*  
11 *property, as authorized by law, and environmental compli-*  
12 *ance and restoration, \$680,000,000, to remain available*  
13 *until September 30, 2018: Provided, That hereafter, not-*  
14 *withstanding section 315 of the National Aeronautics and*  
15 *Space Act of 1958 (51 U.S.C. 20145), all proceeds from*  
16 *leases entered into under that section shall be deposited into*  
17 *this account: Provided further, That such proceeds shall be*  
18 *available for a period of 5 years to the extent and in*  
19 *amounts as provided in annual appropriations Acts: Pro-*  
20 *vided further, That such proceeds referred to in the two pre-*  
21 *ceding provisos shall be available for obligation for fiscal*  
22 *year 2013 in an amount not to exceed \$3,791,000: Provided*  
23 *further, That each annual budget request shall include an*  
24 *annual estimate of gross receipts and collections and pro-*  
25 *posed use of all funds collected pursuant to section 315 of*

1 *the National Aeronautics and Space Act of 1958 (51 U.S.C.*  
2 *20145).*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses of the Office of Inspector Gen-*  
5 *eral in carrying out the Inspector General Act of 1978,*  
6 *\$38,000,000, of which \$500,000 shall remain available until*  
7 *September 30, 2014.*

8 *ADMINISTRATIVE PROVISIONS*

9 *Funds for announced prizes otherwise authorized shall*  
10 *remain available, without fiscal year limitation, until the*  
11 *prize is claimed or the offer is withdrawn.*

12 *Not to exceed 5 percent of any appropriation made*  
13 *available for the current fiscal year for the National Aero-*  
14 *navitics and Space Administration in this Act may be*  
15 *transferred between such appropriations, but no such ap-*  
16 *propriation, except as otherwise specifically provided, shall*  
17 *be increased by more than 10 percent by any such transfers.*  
18 *Balances so transferred shall be merged with and available*  
19 *for the same purposes and the same time period as the ap-*  
20 *propriations to which transferred. Any transfer pursuant*  
21 *to this provision shall be treated as a reprogramming of*  
22 *funds under section 505 of this Act and shall not be avail-*  
23 *able for obligation except in compliance with the procedures*  
24 *set forth in that section.*

1        *The spending plan required by this Act shall be pro-*  
2 *vided by NASA at the theme, program, project and activity*  
3 *level. The spending plan, as well as any subsequent change*  
4 *of an amount established in that spending plan that meets*  
5 *the notification requirements of section 505 of this Act, shall*  
6 *be treated as a reprogramming under section 505 of this*  
7 *Act and shall not be available for obligation or expenditure*  
8 *except in compliance with the procedures set forth in that*  
9 *section.*

10       *Section 30102(c) of title 51, United States Code, is*  
11 *amended—*

12            *(1) in paragraph (2) by striking “and” at the*  
13 *end;*

14            *(2) in paragraph (3) by striking the period at*  
15 *the end inserting “; and”; and*

16            *(3) by adding at the end the following:*

17            *“(4) refunds or rebates received on an on-going*  
18 *basis from a credit card services provider under the*  
19 *National Aeronautics and Space Administration’s*  
20 *credit card programs.”.*

21            *NATIONAL SCIENCE FOUNDATION*

22            *RESEARCH AND RELATED ACTIVITIES*

23        *For necessary expenses in carrying out the National*  
24 *Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),*  
25 *and Public Law 86–209 (42 U.S.C. 1880 et seq.); services*

1 *as authorized by section 3109 of title 5, United States Code;*  
2 *maintenance and operation of aircraft and purchase of*  
3 *flight services for research support; acquisition of aircraft;*  
4 *and authorized travel; \$5,983,280,000, to remain available*  
5 *until September 30, 2014, of which not to exceed*  
6 *\$500,000,000 shall remain available until expended for*  
7 *polar research and operations support, and for reimburse-*  
8 *ment to other Federal agencies for operational and science*  
9 *support and logistical and other related activities for the*  
10 *United States Antarctic program: Provided, That receipts*  
11 *for scientific support services and materials furnished by*  
12 *the National Research Centers and other National Science*  
13 *Foundation supported research facilities may be credited to*  
14 *this appropriation: Provided further, That not less than*  
15 *\$158,190,000 shall be available for activities authorized by*  
16 *section 7002(c)(2)(A)(iv) of Public Law 110–69.*

17 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

18 *CONSTRUCTION*

19 *For necessary expenses for the acquisition, construc-*  
20 *tion, commissioning, and upgrading of major research*  
21 *equipment, facilities, and other such capital assets pursuant*  
22 *to the National Science Foundation Act of 1950 (42 U.S.C.*  
23 *1861 et seq.), including authorized travel, \$196,170,000, to*  
24 *remain available until expended: Provided, That none of*  
25 *the funds may be used to reimburse the Judgment Fund*

1 *established under section 1304 of title 31, United States*  
2 *Code.*

3 *EDUCATION AND HUMAN RESOURCES*

4 *For necessary expenses in carrying out science, mathe-*  
5 *matics and engineering education and human resources*  
6 *programs and activities pursuant to the National Science*  
7 *Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including*  
8 *services as authorized by section 3109 of title 5, United*  
9 *States Code, authorized travel, and rental of conference*  
10 *rooms in the District of Columbia, \$895,610,000, to remain*  
11 *available until September 30, 2014: Provided, That not less*  
12 *than \$54,890,000 shall be available until expended for ac-*  
13 *tivities authorized by section 7030 of Public Law 110–69.*

14 *AGENCY OPERATIONS AND AWARD MANAGEMENT*

15 *For agency operations and award management nec-*  
16 *essary in carrying out the National Science Foundation Act*  
17 *of 1950 (42 U.S.C. 1861 et seq.); services authorized by sec-*  
18 *tion 3109 of title 5, United States Code; hire of passenger*  
19 *motor vehicles; uniforms or allowances therefor, as author-*  
20 *ized by sections 5901 and 5902 of title 5, United States*  
21 *Code; rental of conference rooms in the District of Colum-*  
22 *bia; and reimbursement of the Department of Homeland Se-*  
23 *curity for security guard services; \$299,400,000: Provided,*  
24 *That not to exceed \$8,280 is for official reception and rep-*  
25 *resentation expenses: Provided further, That contracts may*

1 *be entered into under this heading in fiscal year 2013 for*  
2 *maintenance and operation of facilities and for other serv-*  
3 *ices to be provided during the next fiscal year.*

4 *OFFICE OF THE NATIONAL SCIENCE BOARD*

5 *For necessary expenses (including payment of salaries,*  
6 *authorized travel, hire of passenger motor vehicles, the rent-*  
7 *al of conference rooms in the District of Columbia, and the*  
8 *employment of experts and consultants under section 3109*  
9 *of title 5, United States Code) involved in carrying out sec-*  
10 *tion 4 of the National Science Foundation Act of 1950 (42*  
11 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*  
12 *seq.), \$4,440,000: Provided, That not to exceed \$2,500 shall*  
13 *be available for official reception and representation ex-*  
14 *penses.*

15 *OFFICE OF INSPECTOR GENERAL*

16 *For necessary expenses of the Office of Inspector Gen-*  
17 *eral as authorized by the Inspector General Act of 1978,*  
18 *\$14,200,000, of which \$400,000 shall remain available until*  
19 *September 30, 2014.*

20 *ADMINISTRATIVE PROVISION*

21 *Not to exceed 5 percent of any appropriation made*  
22 *available for the current fiscal year for the National Science*  
23 *Foundation in this Act may be transferred between such*  
24 *appropriations, but no such appropriation shall be in-*  
25 *creased by more than 15 percent by any such transfers. Any*



1 *transfer pursuant to this section shall be treated as a re-*  
2 *programming of funds under section 505 of this Act and*  
3 *shall not be available for obligation except in compliance*  
4 *with the procedures set forth in that section.*

5 *This title may be cited as the “Science Appropriations*  
6 *Act, 2013”.*

7 *TITLE IV*

8 *RELATED AGENCIES*

9 *COMMISSION ON CIVIL RIGHTS*

10 *SALARIES AND EXPENSES*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses of the Commission on Civil*  
13 *Rights, including hire of passenger motor vehicles,*  
14 *\$9,400,000: Provided, That none of the funds appropriated*  
15 *in this paragraph shall be used to employ in excess of four*  
16 *full-time individuals under Schedule C of the Excepted*  
17 *Service exclusive of one special assistant for each Commis-*  
18 *sioner: Provided further, That none of the funds appro-*  
19 *priated in this paragraph shall be used to reimburse Com-*  
20 *missioners for more than 75 billable days, with the excep-*  
21 *tion of the chairperson, who is permitted 125 billable days:*  
22 *Provided further, That none of the funds appropriated in*  
23 *this paragraph shall be used for any activity or expense*  
24 *that is not explicitly authorized by section 3 of the Civil*  
25 *Rights Commission Act of 1983 (42 U.S.C. 1975a): Pro-*

1 vided further, That there shall be an Inspector General at  
2 the Commission on Civil Rights who shall have the duties,  
3 responsibilities, and authorities specified in the Inspector  
4 General Act of 1978: Provided further, That an individual  
5 appointed to the position of Inspector General of the Gov-  
6 ernment Accountability Office (GAO) shall, by virtue of  
7 such appointment, also hold the position of Inspector Gen-  
8 eral of the Commission on Civil Rights: Provided further,  
9 That the Inspector General of the Commission on Civil  
10 Rights shall utilize personnel of the Office of Inspector Gen-  
11 eral of GAO in performing the duties of the Inspector Gen-  
12 eral of the Commission on Civil Rights, and shall not ap-  
13 point any individuals to positions within the Commission  
14 on Civil Rights: Provided further, That the Inspector Gen-  
15 eral may waive any statutorily required reporting require-  
16 ment (with the exception of the semiannual report required  
17 by section 5 of the Inspector General Act of 1978) upon  
18 a certification to the Committees on Appropriations of the  
19 House of Representatives and the Senate that such report  
20 is not necessary for effective oversight of the Commission:  
21 Provided further, That of the amounts made available in  
22 this paragraph, \$450,000 shall be transferred directly to the  
23 Office of Inspector General of GAO upon enactment of this  
24 Act for salaries and expenses necessary to carry out the du-

1 *ties of the Inspector General of the Commission on Civil*  
2 *Rights.*

3 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Equal Employment Op-*  
6 *portunity Commission as authorized by title VII of the*  
7 *Civil Rights Act of 1964, the Age Discrimination in Em-*  
8 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*  
9 *icans with Disabilities Act of 1990, the Civil Rights Act*  
10 *of 1991, the Genetic Information Non-Discrimination Act*  
11 *(GINA) of 2008 (Public Law 110–233), the ADA Amend-*  
12 *ments Act of 2008 (Public Law 110–325), and the Lilly*  
13 *Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-*  
14 *cluding services as authorized by section 3109 of title 5,*  
15 *United States Code; hire of passenger motor vehicles as au-*  
16 *thorized by section 1343(b) of title 31, United States Code;*  
17 *nonmonetary awards to private citizens; and up to*  
18 *\$29,500,000 for payments to State and local enforcement*  
19 *agencies for authorized services to the Commission,*  
20 *\$370,000,000: Provided, That the Commission is authorized*  
21 *to make available for official reception and representation*  
22 *expenses not to exceed \$2,250 from available funds: Pro-*  
23 *vided further, That the Commission may take no action to*  
24 *implement any workforce repositioning, restructuring, or*  
25 *reorganization until such time as the Committees on Appro-*

1 *priations of the House of Representatives and the Senate*  
 2 *have been notified of such proposals, in accordance with the*  
 3 *reprogramming requirements of section 505 of this Act: Pro-*  
 4 *vided further, That the Chair is authorized to accept and*  
 5 *use any gift or donation to carry out the work of the Com-*  
 6 *mission.*

7 *INTERNATIONAL TRADE COMMISSION*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the International Trade*  
 10 *Commission, including hire of passenger motor vehicles,*  
 11 *and services as authorized by section 3109 of title 5, United*  
 12 *States Code, and not to exceed \$2,250 for official reception*  
 13 *and representation expenses, \$83,000,000, to remain avail-*  
 14 *able until expended.*

15 *LEGAL SERVICES CORPORATION*

16 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

17 *For payment to the Legal Services Corporation to*  
 18 *carry out the purposes of the Legal Services Corporation*  
 19 *Act of 1974, \$365,000,000, of which \$339,400,000 is for*  
 20 *basic field programs and required independent audits;*  
 21 *\$4,200,000 is for the Office of Inspector General, of which*  
 22 *such amounts as may be necessary may be used to conduct*  
 23 *additional audits of recipients; \$17,000,000 is for manage-*  
 24 *ment and grants oversight; \$3,400,000 is for client self-help*  
 25 *and information technology; and \$1,000,000 is for loan re-*

1 *payment assistance: Provided, That the Legal Services Cor-*  
 2 *poration may continue to provide locality pay to officers*  
 3 *and employees at a rate no greater than that provided by*  
 4 *the Federal Government to Washington, DC-based employ-*  
 5 *ees as authorized by section 5304 of title 5, United States*  
 6 *Code, notwithstanding section 1005(d) of the Legal Services*  
 7 *Corporation Act (42 U.S.C. 2996(d)): Provided further,*  
 8 *That the authorities provided in section 205 of this Act shall*  
 9 *be applicable to the Legal Services Corporation: Provided*  
 10 *further, That, for the purposes of section 505 of this divi-*  
 11 *sion, and section 3003 of division G, the Legal Services Cor-*  
 12 *poration shall be considered an agency of the United States*  
 13 *Government.*

14 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

15 CORPORATION

16 *None of the funds appropriated in this Act to the Legal*  
 17 *Services Corporation shall be expended for any purpose pro-*  
 18 *hibited or limited by, or contrary to any of the provisions*  
 19 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*  
 20 *105–119, and all funds appropriated in this Act to the*  
 21 *Legal Services Corporation shall be subject to the same*  
 22 *terms and conditions set forth in such sections, except that*  
 23 *all references in sections 502 and 503 to 1997 and 1998*  
 24 *shall be deemed to refer instead to 2012 and 2013, respec-*  
 25 *tively.*

1        *Section 501(a)(2)(A) of the Departments of Commerce,*  
 2        *Justice, and State, the Judiciary, and Related Agencies Ap-*  
 3        *propriations Act, 1996 (Public Law 104–134) is amended*  
 4        *by striking “on the basis of the most recent decennial census*  
 5        *of population conducted pursuant to section 141 of title 13,*  
 6        *United States Code” and inserting “triennially by the Bu-*  
 7        *reau of the Census, except that, with respect to fiscal year*  
 8        *2013, the change in allocation resulting from the amend-*  
 9        *ment made to this subparagraph by the Commerce, Justice,*  
 10        *Science, and Related Agencies Appropriations Act, 2013*  
 11        *shall only be half of the change which would otherwise result*  
 12        *from that amendment in order to phase in the change over*  
 13        *a 2 year period”.*

14                                *MARINE MAMMAL COMMISSION*

15                                *SALARIES AND EXPENSES*

16        *For necessary expenses of the Marine Mammal Com-*  
 17        *mission as authorized by title II of the Marine Mammal*  
 18        *Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,081,000.*

19                                *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*

20                                *SALARIES AND EXPENSES*

21        *For necessary expenses of the Office of the United*  
 22        *States Trade Representative, including the hire of passenger*  
 23        *motor vehicles and the employment of experts and consult-*  
 24        *ants as authorized by section 3109 of title 5, United States*  
 25        *Code, \$51,251,000, of which \$1,000,000 shall remain avail-*

1 *able until expended: Provided, That not to exceed \$111,600*  
2 *shall be available for official reception and representation*  
3 *expenses.*

4 *STATE JUSTICE INSTITUTE*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the State Justice Institute,*  
7 *as authorized by the State Justice Institute Authorization*  
8 *Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which*  
9 *\$500,000 shall remain available until September 30, 2014:*  
10 *Provided, That not to exceed \$2,250 shall be available for*  
11 *official reception and representation expenses: Provided fur-*  
12 *ther, That, for the purposes of section 505 of this Act, the*  
13 *State Justice Institute shall be considered an agency of the*  
14 *United States Government.*

15 *TITLE V*

16 *GENERAL PROVISIONS*

17 *(INCLUDING RESCISSIONS)*

18 *SEC. 501. No part of any appropriation contained in*  
19 *this Act shall be used for publicity or propaganda purposes*  
20 *not authorized by the Congress.*

21 *SEC. 502. No part of any appropriation contained in*  
22 *this Act shall remain available for obligation beyond the*  
23 *current fiscal year unless expressly so provided herein.*

24 *SEC. 503. The expenditure of any appropriation under*  
25 *this Act for any consulting service through procurement*

1 contract, pursuant to section 3109 of title 5, United States  
2 Code, shall be limited to those contracts where such expendi-  
3 tures are a matter of public record and available for public  
4 inspection, except where otherwise provided under existing  
5 law, or under existing Executive order issued pursuant to  
6 existing law.

7       SEC. 504. If any provision of this Act or the applica-  
8 tion of such provision to any person or circumstances shall  
9 be held invalid, the remainder of the Act and the applica-  
10 tion of each provision to persons or circumstances other  
11 than those as to which it is held invalid shall not be affected  
12 thereby.

13       SEC. 505. (a) Subject to subsections (b) and (c), none  
14 of the funds provided under this Act, or provided under pre-  
15 vious appropriations Acts to the agencies funded by this  
16 Act that remain available for obligation or expenditure in  
17 fiscal year 2013, or provided from any accounts in the  
18 Treasury of the United States derived by the collection of  
19 fees available to the agencies funded by this Act, shall be  
20 available for obligation or expenditure through a re-  
21 programming of funds that: (1) creates or initiates a new  
22 program, project or activity; (2) eliminates a program,  
23 project or activity; (3) increases funds or personnel by any  
24 means for any project or activity for which funds have been  
25 denied or restricted; (4) relocates an office or employees; (5)



1 reorganizes or renames offices, programs or activities; (6)  
2 contracts out or privatizes any functions or activities pres-  
3 ently performed by Federal employees; (7) augments exist-  
4 ing programs, projects or activities in excess of \$500,000  
5 or 10 percent, whichever is less, or reduces by 10 percent  
6 funding for any program, project or activity, or numbers  
7 of personnel by 10 percent; or (8) results from any general  
8 savings, including savings from a reduction in personnel,  
9 which would result in a change in existing programs,  
10 projects or activities as approved by Congress; unless the  
11 House and Senate Committees on Appropriations are noti-  
12 fied 15 days in advance of such reprogramming of funds.

13 (b) None of the funds provided under this Act to any  
14 agency of the Department of Justice, or provided under pre-  
15 vious appropriations Acts to any agency of the Department  
16 of Justice that remain available for obligation or expendi-  
17 ture in fiscal year 2013, or provided from any accounts  
18 in the Treasury of the United States derived by the collec-  
19 tion of fees available to the agencies funded by this Act,  
20 shall be available for obligation or expenditure through a  
21 reprogramming of funds that: (1) creates or initiates a new  
22 program, project or activity; (2) eliminates a program,  
23 project or activity; (3) increases funds or personnel by any  
24 means for any project or activity for which funds have been  
25 denied or restricted; (4) relocates an office or employees; (5)

1 *reorganizes or renames offices, programs or activities; (6)*  
2 *contracts out or privatizes any functions or activities pres-*  
3 *ently performed by Federal employees; (7) augments exist-*  
4 *ing programs, projects or activities in excess of \$500,000*  
5 *or 10 percent, whichever is less, or reduces by 10 percent*  
6 *funding for any program, project or activity, or numbers*  
7 *of personnel by 10 percent; or (8) results from any general*  
8 *savings, including savings from a reduction in personnel,*  
9 *which would result in a change in existing programs,*  
10 *projects or activities as approved by Congress; unless the*  
11 *House and Senate Committees on Appropriations are noti-*  
12 *fied 45 days in advance of such reprogramming of funds.*

13 *(c) Subsection (b) of this section shall sunset on Sep-*  
14 *tember 30, 2013.*

15 *SEC. 506. (a) If it has been finally determined by a*  
16 *court or Federal agency that any person intentionally af-*  
17 *fixed a label bearing a “Made in America” inscription, or*  
18 *any inscription with the same meaning, to any product sold*  
19 *in or shipped to the United States that is not made in the*  
20 *United States, the person shall be ineligible to receive any*  
21 *contract or subcontract made with funds made available in*  
22 *this Act, pursuant to the debarment, suspension, and ineli-*  
23 *gibility procedures described in sections 9.400 through*  
24 *9.409 of title 48, Code of Federal Regulations.*

1       (b)(1) *To the extent practicable, with respect to author-*  
2 *ized purchases of promotional items, funds made available*  
3 *by this Act shall be used to purchase items that are manu-*  
4 *factured, produced, or assembled in the United States, its*  
5 *territories, or its possessions.*

6       (2) *The term “promotional items” has the meaning*  
7 *given the term in OMB Circular A–87, Attachment B, Item*  
8 *(1)(f)(3).*

9       SEC. 507. (a) *The Departments of Commerce and Jus-*  
10 *tice, the National Science Foundation, and the National*  
11 *Aeronautics and Space Administration shall provide to the*  
12 *Committees on Appropriations of the House of Representa-*  
13 *tives and the Senate a quarterly report on the status of bal-*  
14 *ances of appropriations at the account level. For unobli-*  
15 *gated, uncommitted balances and unobligated, committed*  
16 *balances the quarterly reports shall separately identify the*  
17 *amounts attributable to each source year of appropriation*  
18 *from which the balances were derived. For balances that are*  
19 *obligated, but unexpended, the quarterly reports shall sepa-*  
20 *rately identify amounts by the year of obligation.*

21       (b) *The report described in subsection (a) shall be sub-*  
22 *mitted within 30 days of the end of the first quarter of fiscal*  
23 *year 2013, and subsequent reports shall be submitted within*  
24 *30 days of the end of each quarter thereafter.*

1       (c) If a department or agency is unable to fulfill any  
2 aspect of a reporting requirement described in subsection  
3 (a) due to a limitation of a current accounting system, the  
4 department or agency shall fulfill such aspect to the max-  
5 imum extent practicable under such accounting system and  
6 shall identify and describe in each quarterly report the ex-  
7 tent to which such aspect is not fulfilled.

8       SEC. 508. Any costs incurred by a department or agen-  
9 cy funded under this Act resulting from, or to prevent, per-  
10 sonnel actions taken in response to funding reductions in-  
11 cluded in this Act shall be absorbed within the total budg-  
12 etary resources available to such department or agency:  
13 Provided, That the authority to transfer funds between ap-  
14 propriations accounts as may be necessary to carry out this  
15 section is provided in addition to authorities included else-  
16 where in this Act: Provided further, That use of funds to  
17 carry out this section shall be treated as a reprogramming  
18 of funds under section 505 of this Act and shall not be avail-  
19 able for obligation or expenditure except in compliance with  
20 the procedures set forth in that section.

21       SEC. 509. None of the funds provided by this Act shall  
22 be available to promote the sale or export of tobacco or to-  
23 bacco products, or to seek the reduction or removal by any  
24 foreign country of restrictions on the marketing of tobacco  
25 or tobacco products, except for restrictions which are not

1 *applied equally to all tobacco or tobacco products of the*  
2 *same type.*

3       *SEC. 510. Notwithstanding any other provision of law,*  
4 *amounts deposited or available in the Fund established by*  
5 *section 1402 of chapter XIV of title II of Public Law 98–*  
6 *473 (42 U.S.C. 10601) in any fiscal year in excess of*  
7 *\$730,000,000 shall not be available for obligation until the*  
8 *following fiscal year.*

9       *SEC. 511. None of the funds made available to the De-*  
10 *partment of Justice in this Act may be used to discriminate*  
11 *against or denigrate the religious or moral beliefs of stu-*  
12 *dents who participate in programs for which financial as-*  
13 *sistance is provided from those funds, or of the parents or*  
14 *legal guardians of such students.*

15       *SEC. 512. None of the funds made available in this*  
16 *Act may be transferred to any department, agency, or in-*  
17 *strumentality of the United States Government, except pur-*  
18 *suant to a transfer made by, or transfer authority provided*  
19 *in, this Act or any other appropriations Act.*

20       *SEC. 513. Any funds provided in this Act used to im-*  
21 *plement E-Government Initiatives shall be subject to the*  
22 *procedures set forth in section 505 of this Act.*

23       *SEC. 514. (a) Tracing studies conducted by the Bureau*  
24 *of Alcohol, Tobacco, Firearms and Explosives are released*

1 *without adequate disclaimers regarding the limitations of*  
2 *the data.*

3 *(b) For fiscal year 2013 and thereafter, the Bureau*  
4 *of Alcohol, Tobacco, Firearms and Explosives shall include*  
5 *in all such data releases, language similar to the following*  
6 *that would make clear that trace data cannot be used to*  
7 *draw broad conclusions about firearms-related crime:*

8 *(1) Firearm traces are designed to assist law en-*  
9 *forcement authorities in conducting investigations by*  
10 *tracking the sale and possession of specific firearms.*  
11 *Law enforcement agencies may request firearms traces*  
12 *for any reason, and those reasons are not necessarily*  
13 *reported to the Federal Government. Not all firearms*  
14 *used in crime are traced and not all firearms traced*  
15 *are used in crime.*

16 *(2) Firearms selected for tracing are not chosen*  
17 *for purposes of determining which types, makes, or*  
18 *models of firearms are used for illicit purposes. The*  
19 *firearms selected do not constitute a random sample*  
20 *and should not be considered representative of the*  
21 *larger universe of all firearms used by criminals, or*  
22 *any subset of that universe. Firearms are normally*  
23 *traced to the first retail seller, and sources reported*  
24 *for firearms traced do not necessarily represent the*

1        *sources or methods by which firearms in general are*  
2        *acquired for use in crime.*

3        *SEC. 515. (a) The Inspectors General of the Depart-*  
4        *ment of Commerce, the Department of Justice, the National*  
5        *Aeronautics and Space Administration, the National*  
6        *Science Foundation, and the Legal Services Corporation*  
7        *shall conduct audits, pursuant to the Inspector General Act*  
8        *(5 U.S.C. App.), of grants or contracts for which funds are*  
9        *appropriated by this Act, and shall submit reports to Con-*  
10       *gress on the progress of such audits, which may include pre-*  
11       *liminary findings and a description of areas of particular*  
12       *interest, within 180 days after initiating such an audit and*  
13       *every 180 days thereafter until any such audit is completed.*

14       *(b) Within 60 days after the date on which an audit*  
15       *described in subsection (a) by an Inspector General is com-*  
16       *pleted, the Secretary, Attorney General, Administrator, Di-*  
17       *rector, or President, as appropriate, shall make the results*  
18       *of the audit available to the public on the Internet website*  
19       *maintained by the Department, Administration, Founda-*  
20       *tion, or Corporation, respectively. The results shall be made*  
21       *available in redacted form to exclude—*

22                *(1) any matter described in section 552(b) of*  
23                *title 5, United States Code; and*

24                *(2) sensitive personal information for any indi-*  
25                *vidual, the public access to which could be used to*

1        *commit identity theft or for other inappropriate or*  
2        *unlawful purposes.*

3        *(c) A grant or contract funded by amounts appro-*  
4        *priated by this Act may not be used for the purpose of de-*  
5        *fraying the costs of a banquet or conference that is not di-*  
6        *rectly and programmatically related to the purpose for*  
7        *which the grant or contract was awarded, such as a banquet*  
8        *or conference held in connection with planning, training,*  
9        *assessment, review, or other routine purposes related to a*  
10       *project funded by the grant or contract.*

11       *(d) Any person awarded a grant or contract funded*  
12       *by amounts appropriated by this Act shall submit a state-*  
13       *ment to the Secretary of Commerce, the Attorney General,*  
14       *the Administrator, Director, or President, as appropriate,*  
15       *certifying that no funds derived from the grant or contract*  
16       *will be made available through a subcontract or in any*  
17       *other manner to another person who has a financial interest*  
18       *in the person awarded the grant or contract.*

19       *(e) The provisions of the preceding subsections of this*  
20       *section shall take effect 30 days after the date on which the*  
21       *Director of the Office of Management and Budget, in con-*  
22       *sultation with the Director of the Office of Government Eth-*  
23       *ics, determines that a uniform set of rules and requirements,*  
24       *substantially similar to the requirements in such sub-*  
25       *sections, consistently apply under the executive branch eth-*



1 ics program to all Federal departments, agencies, and enti-  
2 ties.

3       SEC. 516. (a) None of the funds appropriated or other-  
4 wise made available under this Act may be used by the De-  
5 partments of Commerce and Justice, the National Aero-  
6 nautics and Space Administration, or the National Science  
7 Foundation to acquire an information technology system  
8 unless the head of the entity involved, in consultation with  
9 the Federal Bureau of Investigation or other appropriate  
10 Federal entity, has made an assessment of any associated  
11 risk of cyber-espionage or sabotage associated with the ac-  
12 quisition of such system, including any risk associated with  
13 such system being produced, manufactured or assembled by  
14 one or more entities that are owned, directed or subsidized  
15 by the People's Republic of China.

16       (b) None of the funds appropriated or otherwise made  
17 available under this Act may be used to acquire an infor-  
18 mation technology system described in an assessment re-  
19 quired by subsection (a) and produced, manufactured or as-  
20 sembled by one or more entities that are owned, directed  
21 or subsidized by the People's Republic of China unless the  
22 head of the assessing entity described in subsection (a) de-  
23 termines, and reports that determination to the Committees  
24 on Appropriations of the House of Representatives and the

1 *Senate, that the acquisition of such system is in the na-*  
2 *tional interest of the United States.*

3 *SEC. 517. None of the funds made available in this*  
4 *Act shall be used in any way whatsoever to support or jus-*  
5 *tify the use of torture by any official or contract employee*  
6 *of the United States Government.*

7 *SEC. 518. (a) Notwithstanding any other provision of*  
8 *law or treaty, none of the funds appropriated or otherwise*  
9 *made available under this Act or any other Act may be*  
10 *expended or obligated by a department, agency, or instru-*  
11 *mentality of the United States to pay administrative ex-*  
12 *penses or to compensate an officer or employee of the United*  
13 *States in connection with requiring an export license for*  
14 *the export to Canada of components, parts, accessories or*  
15 *attachments for firearms listed in Category I, section 121.1*  
16 *of title 22, Code of Federal Regulations (International Traf-*  
17 *ficking in Arms Regulations (ITAR), part 121, as it existed*  
18 *on April 1, 2005) with a total value not exceeding \$500*  
19 *wholesale in any transaction, provided that the conditions*  
20 *of subsection (b) of this section are met by the exporting*  
21 *party for such articles.*

22 *(b) The foregoing exemption from obtaining an export*  
23 *license—*

24 *(1) does not exempt an exporter from filing any*  
25 *Shipper's Export Declaration or notification letter re-*

1        *quired by law, or from being otherwise eligible under*  
2        *the laws of the United States to possess, ship, trans-*  
3        *port, or export the articles enumerated in subsection*  
4        *(a); and*

5            *(2) does not permit the export without a license*  
6        *of—*

7                    *(A) fully automatic firearms and compo-*  
8                    *nents and parts for such firearms, other than for*  
9                    *end use by the Federal Government, or a Provin-*  
10                   *cial or Municipal Government of Canada;*

11                   *(B) barrels, cylinders, receivers (frames) or*  
12                   *complete breech mechanisms for any firearm list-*  
13                   *ed in Category I, other than for end use by the*  
14                   *Federal Government, or a Provincial or Munic-*  
15                   *ipal Government of Canada; or*

16                   *(C) articles for export from Canada to an-*  
17                   *other foreign destination.*

18        *(c) In accordance with this section, the District Direc-*  
19        *tors of Customs and postmasters shall permit the permanent*  
20        *or temporary export without a license of any unclassified*  
21        *articles specified in subsection (a) to Canada for end use*  
22        *in Canada or return to the United States, or temporary*  
23        *import of Canadian-origin items from Canada for end use*  
24        *in the United States or return to Canada for a Canadian*  
25        *citizen.*

1       (d) *The President may require export licenses under*  
2 *this section on a temporary basis if the President deter-*  
3 *mines, upon publication first in the Federal Register, that*  
4 *the Government of Canada has implemented or maintained*  
5 *inadequate import controls for the articles specified in sub-*  
6 *section (a), such that a significant diversion of such articles*  
7 *has and continues to take place for use in international*  
8 *terrorism or in the escalation of a conflict in another na-*  
9 *tion. The President shall terminate the requirements of a*  
10 *license when reasons for the temporary requirements have*  
11 *ceased.*

12       *SEC. 519. Notwithstanding any other provision of law,*  
13 *no department, agency, or instrumentality of the United*  
14 *States receiving appropriated funds under this Act or any*  
15 *other Act shall obligate or expend in any way such funds*  
16 *to pay administrative expenses or the compensation of any*  
17 *officer or employee of the United States to deny any appli-*  
18 *cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and*  
19 *qualified pursuant to 27 CFR section 478.112 or .113, for*  
20 *a permit to import United States origin “curios or relics”*  
21 *firearms, parts, or ammunition.*

22       *SEC. 520. None of the funds made available in this*  
23 *Act may be used to include in any new bilateral or multi-*  
24 *lateral trade agreement the text of—*

1           (1) paragraph 2 of article 16.7 of the United  
2       *States-Singapore Free Trade Agreement*;

3           (2) paragraph 4 of article 17.9 of the United  
4       *States-Australia Free Trade Agreement*; or

5           (3) paragraph 4 of article 15.9 of the United  
6       *States-Morocco Free Trade Agreement*.

7       *SEC. 521. None of the funds made available in this*  
8 *Act may be used to authorize or issue a national security*  
9 *letter in contravention of any of the following laws author-*  
10 *izing the Federal Bureau of Investigation to issue national*  
11 *security letters: The Right to Financial Privacy Act; The*  
12 *Electronic Communications Privacy Act; The Fair Credit*  
13 *Reporting Act; The National Security Act of 1947; USA*  
14 *PATRIOT Act; and the laws amended by these Acts.*

15       *SEC. 522. If at any time during any quarter, the pro-*  
16 *gram manager of a project within the jurisdiction of the*  
17 *Departments of Commerce or Justice, the National Aero-*  
18 *navitics and Space Administration, or the National Science*  
19 *Foundation totaling more than \$75,000,000 has reasonable*  
20 *cause to believe that the total program cost has increased*  
21 *by 10 percent, the program manager shall immediately in-*  
22 *form the respective Secretary, Administrator, or Director.*  
23 *The Secretary, Administrator, or Director shall notify the*  
24 *House and Senate Committees on Appropriations within*  
25 *30 days in writing of such increase, and shall include in*

1 *such notice: the date on which such determination was*  
2 *made; a statement of the reasons for such increases; the ac-*  
3 *tion taken and proposed to be taken to control future cost*  
4 *growth of the project; changes made in the performance or*  
5 *schedule milestones and the degree to which such changes*  
6 *have contributed to the increase in total program costs or*  
7 *procurement costs; new estimates of the total project or pro-*  
8 *curement costs; and a statement validating that the project's*  
9 *management structure is adequate to control total project*  
10 *or procurement costs.*

11 *SEC. 523. Funds appropriated by this Act, or made*  
12 *available by the transfer of funds in this Act, for intelligence*  
13 *or intelligence related activities are deemed to be specifi-*  
14 *cally authorized by the Congress for purposes of section 504*  
15 *of the National Security Act of 1947 (50 U.S.C. 414) during*  
16 *fiscal year 2013 until the enactment of the Intelligence Au-*  
17 *thorization Act for fiscal year 2013.*

18 *SEC. 524. The Departments, agencies, and commis-*  
19 *sions funded under this Act, shall establish and maintain*  
20 *on the homepages of their Internet websites—*

- 21 *(1) a direct link to the Internet websites of their*  
22 *Offices of Inspectors General; and*  
23 *(2) a mechanism on the Offices of Inspectors*  
24 *General website by which individuals may anony-*  
25 *mously report cases of waste, fraud, or abuse with re-*

20 *(RESCISSIONS)*

25 (1) “Working Capital Fund”, \$26,000,000;

1           (2) “*Legal Activities, Assets Forfeiture Fund*”,  
2       \$722,697,000;

3           (3) “*Bureau of Alcohol, Tobacco, Firearms and*  
4       *Explosives, Violent Crime Reduction Program*”,  
5       \$1,028,000;

6           (4) “*Federal Prison System, Buildings and Fa-*  
7       *cilities*”, \$64,700,000;

8           (5) “*State and Local Law Enforcement Activi-*  
9       *ties, Office on Violence Against Women, Violence*  
10      *Against Women Prevention and Prosecution Pro-*  
11      *grams*”, \$12,000,000;

12          (6) “*State and Local Law Enforcement Activi-*  
13      *ties, Office of Justice Programs*”, \$43,000,000; and

14          (7) “*State and Local Law Enforcement Activi-*  
15      *ties, Community Oriented Policing Services*”,  
16      \$12,200,000.

17      (b) *The Department of Justice shall submit to the Com-*  
18      *mittees on Appropriations of the House of Representatives*  
19      *and the Senate a report no later than September 1, 2013,*  
20      *specifying the amount of each rescission made pursuant to*  
21      *subsection (a).*

22      SEC. 527. *None of the funds appropriated or otherwise*  
23      *made available in this Act may be used in a manner that*  
24      *is inconsistent with the principal negotiating objective of*



1 *the United States with respect to trade remedy laws to pre-*  
2 *serve the ability of the United States—*

3 *(1) to enforce vigorously its trade laws, including*  
4 *antidumping, countervailing duty, and safeguard*  
5 *laws;*

6 *(2) to avoid agreements that—*

7 *(A) lessen the effectiveness of domestic and*  
8 *international disciplines on unfair trade, espe-*  
9 *cially dumping and subsidies; or*

10 *(B) lessen the effectiveness of domestic and*  
11 *international safeguard provisions, in order to*  
12 *ensure that United States workers, agricultural*  
13 *producers, and firms can compete fully on fair*  
14 *terms and enjoy the benefits of reciprocal trade*  
15 *concessions; and*

16 *(3) to address and remedy market distortions*  
17 *that lead to dumping and subsidization, including*  
18 *overcapacity, cartelization, and market-access bar-*  
19 *riers.*

20 *SEC. 528. None of the funds made available in this*  
21 *Act may be used to purchase first class or premium airline*  
22 *travel in contravention of sections 301–10.122 through 301–*  
23 *10.124 of title 41 of the Code of Federal Regulations.*

24 *SEC. 529. None of the funds made available in this*  
25 *Act may be used to send or otherwise pay for the attendance*

1 of more than 50 employees from a Federal department or  
2 agency at any single conference occurring outside the  
3 United States, unless such conference is a law enforcement  
4 training or operational conference for law enforcement per-  
5 sonnel and the majority of Federal employees in attendance  
6 are law enforcement personnel stationed outside the United  
7 States.

8       *SEC. 530. None of the funds appropriated or otherwise*  
9 *made available in this or any other Act may be used to*  
10 *transfer, release, or assist in the transfer or release to or*  
11 *within the United States, its territories, or possessions*  
12 *Khalid Sheikh Mohammed or any other detainee who—*

13               *(1) is not a United States citizen or a member*  
14 *of the Armed Forces of the United States; and*

15               *(2) is or was held on or after June 24, 2009, at*  
16 *the United States Naval Station, Guantanamo Bay,*  
17 *Cuba, by the Department of Defense.*

18       *SEC. 531. (a) None of the funds appropriated or other-*  
19 *wise made available in this or any other Act may be used*  
20 *to construct, acquire, or modify any facility in the United*  
21 *States, its territories, or possessions to house any individual*  
22 *described in subsection (c) for the purposes of detention or*  
23 *imprisonment in the custody or under the effective control*  
24 *of the Department of Defense.*

1       (b) *The prohibition in subsection (a) shall not apply*  
2 *to any modification of facilities at United States Naval*  
3 *Station, Guantanamo Bay, Cuba.*

4       (c) *An individual described in this subsection is any*  
5 *individual who, as of June 24, 2009, is located at United*  
6 *States Naval Station, Guantanamo Bay, Cuba, and who—*

7           (1) *is not a citizen of the United States or a*  
8 *member of the Armed Forces of the United States; and*

9           (2) *is—*

10               (A) *in the custody or under the effective*  
11 *control of the Department of Defense; or*

12               (B) *otherwise under detention at United*  
13 *States Naval Station, Guantanamo Bay, Cuba.*

14       SEC. 532. *None of the funds made available under this*  
15 *Act may be distributed to the Association of Community*  
16 *Organizations for Reform Now (ACORN) or its subsidi-*  
17 *aries.*

18       SEC. 533. *To the extent practicable, funds made avail-*  
19 *able in this Act should be used to purchase light bulbs that*  
20 *are “Energy Star” qualified or have the “Federal Energy*  
21 *Management Program” designation.*

22       SEC. 534. *The Director of the Office of Management*  
23 *and Budget shall instruct any department, agency, or in-*  
24 *strumentality of the United States Government receiving*  
25 *funds appropriated under this Act to track undisbursed bal-*

1 *ances in expired grant accounts and include in its annual*  
2 *performance plan and performance and accountability re-*  
3 *ports the following:*

4 *(1) Details on future action the department,*  
5 *agency, or instrumentality will take to resolve*  
6 *undisbursed balances in expired grant accounts.*

7 *(2) The method that the department, agency, or*  
8 *instrumentality uses to track undisbursed balances in*  
9 *expired grant accounts.*

10 *(3) Identification of undisbursed balances in ex-*  
11 *pired grant accounts that may be returned to the*  
12 *Treasury of the United States.*

13 *(4) In the preceding 3 fiscal years, details on the*  
14 *total number of expired grant accounts with*  
15 *undisbursed balances (on the first day of each fiscal*  
16 *year) for the department, agency, or instrumentality*  
17 *and the total finances that have not been obligated to*  
18 *a specific project remaining in the accounts.*

19 *SEC. 535. (a) None of the funds made available by this*  
20 *Act may be used for the National Aeronautics and Space*  
21 *Administration (NASA) or the Office of Science and Tech-*  
22 *nology Policy (OSTP) to develop, design, plan, promulgate,*  
23 *implement, or execute a bilateral policy, program, order,*  
24 *or contract of any kind to participate, collaborate, or co-*  
25 *ordinate bilaterally in any way with China or any Chinese-*

1 *owned company unless such activities are specifically au-*  
2 *thorized by a law enacted after the date of enactment of*  
3 *this Act.*

4 *(b) The limitation in subsection (a) shall also apply*  
5 *to any funds used to effectuate the hosting of official Chinese*  
6 *visitors at facilities belonging to or utilized by NASA.*

7 *(c) The limitations described in subsections (a) and*  
8 *(b) shall not apply to activities which NASA or OSTP has*  
9 *certified—*

10 *(1) pose no risk of resulting in the transfer of*  
11 *technology, data, or other information with national*  
12 *security or economic security implications to China*  
13 *or a Chinese-owned company; and*

14 *(2) will not involve knowing interactions with*  
15 *officials who have been determined by the United*  
16 *States to have direct involvement with violations of*  
17 *human rights.*

18 *(d) Any certification made under subsection (c) shall*  
19 *be submitted to the Committees on Appropriations of the*  
20 *House of Representatives and the Senate no later than 30*  
21 *days prior to the activity in question and shall include a*  
22 *description of the purpose of the activity, its agenda, its*  
23 *major participants, and its location and timing.*

24 *SEC. 536. None of the funds made available in this*  
25 *Act may be used to relocate the Bureau of the Census or*

1 *employees from the Department of Commerce to the juris-*  
2 *dition of the Executive Office of the President.*

3       *SEC. 537. The Departments of Commerce and Justice,*  
4 *the National Aeronautics and Space Administration, and*  
5 *the National Science Foundation shall submit spending*  
6 *plans, signed by the respective department or agency head,*  
7 *to the Committees on Appropriations of the House of Rep-*  
8 *resentatives and the Senate within 45 days after the date*  
9 *of enactment of this Act.*

10       *SEC. 538. None of the funds made available by this*  
11 *Act may be used to pay the salaries or expenses of personnel*  
12 *to deny, or fail to act on, an application for the importation*  
13 *of any model of shotgun if—*

14               *(1) all other requirements of law with respect to*  
15 *the proposed importation are met; and*

16               *(2) no application for the importation of such*  
17 *model of shotgun, in the same configuration, had been*  
18 *denied by the Attorney General prior to January 1,*  
19 *2011, on the basis that the shotgun was not particu-*  
20 *larly suitable for or readily adaptable to sporting*  
21 *purposes.*

22       *SEC. 539. (a) None of the funds made available in this*  
23 *Act may be used to maintain or establish a computer net-*  
24 *work unless such network blocks the viewing, downloading,*  
25 *and exchanging of pornography.*

1       (b) *Nothing in subsection (a) shall limit the use of*  
2 *funds necessary for any Federal, State, tribal, or local law*  
3 *enforcement agency or any other entity carrying out crimi-*  
4 *nal investigations, prosecution, or adjudication activities.*

5       *SEC. 540. None of the funds made available by this*  
6 *Act may be used to enter into a contract, memorandum of*  
7 *understanding, or cooperative agreement with, make a*  
8 *grant to, or provide a loan or loan guarantee to, any cor-*  
9 *poration that was convicted of a felony criminal violation*  
10 *under any Federal law within the preceding 24 months,*  
11 *where the awarding agency is aware of the conviction, un-*  
12 *less an agency has considered suspension or debarment of*  
13 *the corporation and has made a determination that this*  
14 *further action is not necessary to protect the interests of*  
15 *the Government.*

16       *SEC. 541. None of the funds made available by this*  
17 *Act may be used to enter into a contract, memorandum of*  
18 *understanding, or cooperative agreement with, make a*  
19 *grant to, or provide a loan or loan guarantee to, any cor-*  
20 *poration that has any unpaid Federal tax liability that has*  
21 *been assessed, for which all judicial and administrative*  
22 *remedies have been exhausted or have lapsed, and that is*  
23 *not being paid in a timely manner pursuant to an agree-*  
24 *ment with the authority responsible for collecting the tax*  
25 *liability, where the awarding agency is aware of the unpaid*

1 *tax liability, unless an agency has considered suspension*  
2 *or debarment of the corporation and has made a determina-*  
3 *tion that this further action is not necessary to protect the*  
4 *interests of the Government.*

5       *SEC. 542. None of the funds made available by this*  
6 *Act may be used to pay the salary of any officer or employee*  
7 *of the Department of Commerce who uses amounts in the*  
8 *Fisheries Enforcement Asset Forfeiture Fund of the Na-*  
9 *tional Oceanic and Atmospheric Administration that con-*  
10 *sists of the sums described in section 311(e)(1) of the Mag-*  
11 *nuson-Stevens Fishery Conservation and Management Act*  
12 *(16 U.S.C. 1861(e)(1)) for any purpose other than a pur-*  
13 *pose specifically authorized under such section.*

14       *SEC. 543. (a) None of the funds made available by this*  
15 *Act may be used to carry out the functions of the Political*  
16 *Science Program in the Division of Social and Economic*  
17 *Sciences of the Directorate for Social, Behavioral, and Eco-*  
18 *nomics Sciences of the National Science Foundation, except*  
19 *for research projects that the Director of the National*  
20 *Science Foundation certifies as promoting national security*  
21 *or the economic interests of the United States.*

22       *(b) The Director of the National Science Foundation*  
23 *shall publish a statement of the reason for each certification*  
24 *made pursuant to subsection (a) on the public website of*  
25 *the National Science Foundation.*



1       (c) Any unobligated balances for the Political Science  
2 Program described in subsection (a) may be provided for  
3 other scientific research and studies that do not duplicate  
4 those being funded by other Federal agencies.

5       This division may be cited as the “Commerce, Justice,  
6 Science, and Related Agencies Appropriations Act, 2013”.

7       ***DIVISION C—DEPARTMENT OF DEFENSE***  
8               ***APPROPRIATIONS ACT, 2013***

9       The following sums are hereby appropriated, out of  
10 any money in the Treasury not otherwise appropriated, for  
11 the fiscal year ending September 30, 2013, for military  
12 functions administered by the Department of Defense and  
13 for other purposes, namely:

14                       ***TITLE I***

15                       ***MILITARY PERSONNEL***

16                       ***MILITARY PERSONNEL, ARMY***

17       For pay, allowances, individual clothing, subsistence,  
18 interest on deposits, gratuities, permanent change of station  
19 travel (including all expenses thereof for organizational  
20 movements), and expenses of temporary duty travel between  
21 permanent duty stations, for members of the Army on active  
22 duty, (except members of reserve components provided for  
23 elsewhere), cadets, and aviation cadets; for members of the  
24 Reserve Officers’ Training Corps; and for payments pursu-  
25 ant to section 156 of Public Law 97–377, as amended (42

1 *U.S.C. 402 note), and to the Department of Defense Mili-*  
2 *tary Retirement Fund, \$40,199,263,000.*

3 *MILITARY PERSONNEL, NAVY*

4 *For pay, allowances, individual clothing, subsistence,*  
5 *interest on deposits, gratuities, permanent change of station*  
6 *travel (including all expenses thereof for organizational*  
7 *movements), and expenses of temporary duty travel between*  
8 *permanent duty stations, for members of the Navy on active*  
9 *duty (except members of the Reserve provided for elsewhere),*  
10 *midshipmen, and aviation cadets; for members of the Re-*  
11 *serve Officers' Training Corps; and for payments pursuant*  
12 *to section 156 of Public Law 97-377, as amended (42*  
13 *U.S.C. 402 note), and to the Department of Defense Mili-*  
14 *tary Retirement Fund, \$26,902,346,000.*

15 *MILITARY PERSONNEL, MARINE CORPS*

16 *For pay, allowances, individual clothing, subsistence,*  
17 *interest on deposits, gratuities, permanent change of station*  
18 *travel (including all expenses thereof for organizational*  
19 *movements), and expenses of temporary duty travel between*  
20 *permanent duty stations, for members of the Marine Corps*  
21 *on active duty (except members of the Reserve provided for*  
22 *elsewhere); and for payments pursuant to section 156 of*  
23 *Public Law 97-377, as amended (42 U.S.C. 402 note), and*  
24 *to the Department of Defense Military Retirement Fund,*  
25 *\$12,531,549,000.*

1                    *MILITARY PERSONNEL, AIR FORCE*

2            *For pay, allowances, individual clothing, subsistence,*  
3 *interest on deposits, gratuities, permanent change of station*  
4 *travel (including all expenses thereof for organizational*  
5 *movements), and expenses of temporary duty travel between*  
6 *permanent duty stations, for members of the Air Force on*  
7 *active duty (except members of reserve components provided*  
8 *for elsewhere), cadets, and aviation cadets; for members of*  
9 *the Reserve Officers' Training Corps; and for payments*  
10 *pursuant to section 156 of Public Law 97-377, as amended*  
11 *(42 U.S.C. 402 note), and to the Department of Defense*  
12 *Military Retirement Fund, \$28,052,826,000.*

13                    *RESERVE PERSONNEL, ARMY*

14            *For pay, allowances, clothing, subsistence, gratuities,*  
15 *travel, and related expenses for personnel of the Army Re-*  
16 *serve on active duty under sections 10211, 10302, and 3038*  
17 *of title 10, United States Code, or while serving on active*  
18 *duty under section 12301(d) of title 10, United States Code,*  
19 *in connection with performing duty specified in section*  
20 *12310(a) of title 10, United States Code, or while under-*  
21 *going reserve training, or while performing drills or equiva-*  
22 *lent duty or other duty, and expenses authorized by section*  
23 *16131 of title 10, United States Code; and for payments*  
24 *to the Department of Defense Military Retirement Fund,*  
25 *\$4,456,823,000.*

1                    *RESERVE PERSONNEL, NAVY*

2            *For pay, allowances, clothing, subsistence, gratuities,*  
3 *travel, and related expenses for personnel of the Navy Re-*  
4 *serve on active duty under section 10211 of title 10, United*  
5 *States Code, or while serving on active duty under section*  
6 *12301(d) of title 10, United States Code, in connection with*  
7 *performing duty specified in section 12310(a) of title 10,*  
8 *United States Code, or while undergoing reserve training,*  
9 *or while performing drills or equivalent duty, and expenses*  
10 *authorized by section 16131 of title 10, United States Code;*  
11 *and for payments to the Department of Defense Military*  
12 *Retirement Fund, \$1,874,023,000.*

13                    *RESERVE PERSONNEL, MARINE CORPS*

14            *For pay, allowances, clothing, subsistence, gratuities,*  
15 *travel, and related expenses for personnel of the Marine*  
16 *Corps Reserve on active duty under section 10211 of title*  
17 *10, United States Code, or while serving on active duty*  
18 *under section 12301(d) of title 10, United States Code, in*  
19 *connection with performing duty specified in section*  
20 *12310(a) of title 10, United States Code, or while under-*  
21 *going reserve training, or while performing drills or equiva-*  
22 *lent duty, and for members of the Marine Corps platoon*  
23 *leaders class, and expenses authorized by section 16131 of*  
24 *title 10, United States Code; and for payments to the De-*

1 *partment of Defense Military Retirement Fund,*  
2 *\$658,251,000.*

3 *RESERVE PERSONNEL, AIR FORCE*

4 *For pay, allowances, clothing, subsistence, gratuities,*  
5 *travel, and related expenses for personnel of the Air Force*  
6 *Reserve on active duty under sections 10211, 10305, and*  
7 *8038 of title 10, United States Code, or while serving on*  
8 *active duty under section 12301(d) of title 10, United States*  
9 *Code, in connection with performing duty specified in sec-*  
10 *tion 12310(a) of title 10, United States Code, or while un-*  
11 *dergoing reserve training, or while performing drills or*  
12 *equivalent duty or other duty, and expenses authorized by*  
13 *section 16131 of title 10, United States Code; and for pay-*  
14 *ments to the Department of Defense Military Retirement*  
15 *Fund, \$1,722,425,000.*

16 *NATIONAL GUARD PERSONNEL, ARMY*

17 *For pay, allowances, clothing, subsistence, gratuities,*  
18 *travel, and related expenses for personnel of the Army Na-*  
19 *tional Guard while on duty under section 10211, 10302,*  
20 *or 12402 of title 10 or section 708 of title 32, United States*  
21 *Code, or while serving on duty under section 12301(d) of*  
22 *title 10 or section 502(f) of title 32, United States Code,*  
23 *in connection with performing duty specified in section*  
24 *12310(a) of title 10, United States Code, or while under-*  
25 *going training, or while performing drills or equivalent*

1 *duty or other duty, and expenses authorized by section*  
2 *16131 of title 10, United States Code; and for payments*  
3 *to the Department of Defense Military Retirement Fund,*  
4 *\$7,981,577,000.*

5 *NATIONAL GUARD PERSONNEL, AIR FORCE*

6 *For pay, allowances, clothing, subsistence, gratuities,*  
7 *travel, and related expenses for personnel of the Air Na-*  
8 *tional Guard on duty under section 10211, 10305, or 12402*  
9 *of title 10 or section 708 of title 32, United States Code,*  
10 *or while serving on duty under section 12301(d) of title 10*  
11 *or section 502(f) of title 32, United States Code, in connec-*  
12 *tion with performing duty specified in section 12310(a) of*  
13 *title 10, United States Code, or while undergoing training,*  
14 *or while performing drills or equivalent duty or other duty,*  
15 *and expenses authorized by section 16131 of title 10, United*  
16 *States Code; and for payments to the Department of Defense*  
17 *Military Retirement Fund, \$3,153,990,000.*

18 *TITLE II*

19 *OPERATION AND MAINTENANCE*

20 *OPERATION AND MAINTENANCE, ARMY*

21 *For expenses, not otherwise provided for, necessary for*  
22 *the operation and maintenance of the Army, as authorized*  
23 *by law; and not to exceed \$12,478,000 can be used for emer-*  
24 *gencies and extraordinary expenses, to be expended on the*  
25 *approval or authority of the Secretary of the Army, and*

1 *payments may be made on his certificate of necessity for*  
2 *confidential military purposes, \$35,409,260,000.*

3 *OPERATION AND MAINTENANCE, NAVY*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance of the Navy and the Marine*  
6 *Corps, as authorized by law; and not to exceed \$14,804,000*  
7 *can be used for emergencies and extraordinary expenses, to*  
8 *be expended on the approval or authority of the Secretary*  
9 *of the Navy, and payments may be made on his certificate*  
10 *of necessity for confidential military purposes,*  
11 *\$41,614,453,000.*

12 *OPERATION AND MAINTENANCE, MARINE CORPS*

13 *For expenses, not otherwise provided for, necessary for*  
14 *the operation and maintenance of the Marine Corps, as au-*  
15 *thorized by law, \$6,034,963,000.*

16 *OPERATION AND MAINTENANCE, AIR FORCE*

17 *For expenses, not otherwise provided for, necessary for*  
18 *the operation and maintenance of the Air Force, as author-*  
19 *ized by law; and not to exceed \$7,699,000 can be used for*  
20 *emergencies and extraordinary expenses, to be expended on*  
21 *the approval or authority of the Secretary of the Air Force,*  
22 *and payments may be made on his certificate of necessity*  
23 *for confidential military purposes, \$34,780,406,000.*

1        *OPERATION AND MAINTENANCE, DEFENSE-WIDE*2                    *(INCLUDING TRANSFER OF FUNDS)*

3        *For expenses, not otherwise provided for, necessary for*  
4 *the operation and maintenance of activities and agencies*  
5 *of the Department of Defense (other than the military de-*  
6 *partments), as authorized by law, \$31,862,980,000: Pro-*  
7 *vided, That not more than \$30,000,000 may be used for*  
8 *the Combatant Commander Initiative Fund authorized*  
9 *under section 166a of title 10, United States Code: Provided*  
10 *further, That not to exceed \$36,000,000 can be used for*  
11 *emergencies and extraordinary expenses, to be expended on*  
12 *the approval or authority of the Secretary of Defense, and*  
13 *payments may be made on his certificate of necessity for*  
14 *confidential military purposes: Provided further, That of*  
15 *the funds provided under this heading, not less than*  
16 *\$36,480,000 shall be made available for the Procurement*  
17 *Technical Assistance Cooperative Agreement Program, of*  
18 *which not less than \$3,600,000 shall be available for centers*  
19 *defined in 10 U.S.C. 2411(1)(D): Provided further, That*  
20 *none of the funds appropriated or otherwise made available*  
21 *by this Act may be used to plan or implement the consolida-*  
22 *tion of a budget or appropriations liaison office of the Office*  
23 *of the Secretary of Defense, the office of the Secretary of*  
24 *a military department, or the service headquarters of one*  
25 *of the Armed Forces into a legislative affairs or legislative*



1 *liaison office: Provided further, That \$8,563,000, to remain*  
2 *available until expended, is available only for expenses re-*  
3 *lating to certain classified activities, and may be trans-*  
4 *ferred as necessary by the Secretary of Defense to operation*  
5 *and maintenance appropriations or research, development,*  
6 *test and evaluation appropriations, to be merged with and*  
7 *to be available for the same time period as the appropria-*  
8 *tions to which transferred: Provided further, That any ceil-*  
9 *ing on the investment item unit cost of items that may be*  
10 *purchased with operation and maintenance funds shall not*  
11 *apply to the funds described in the preceding proviso: Pro-*  
12 *vided further, That the transfer authority provided under*  
13 *this heading is in addition to any other transfer authority*  
14 *provided elsewhere in this Act.*

15       *OPERATION AND MAINTENANCE, ARMY RESERVE*

16       *For expenses, not otherwise provided for, necessary for*  
17 *the operation and maintenance, including training, organi-*  
18 *zation, and administration, of the Army Reserve; repair of*  
19 *facilities and equipment; hire of passenger motor vehicles;*  
20 *travel and transportation; care of the dead; recruiting; pro-*  
21 *curement of services, supplies, and equipment; and commu-*  
22 *nications, \$3,182,923,000.*

23       *OPERATION AND MAINTENANCE, NAVY RESERVE*

24       *For expenses, not otherwise provided for, necessary for*  
25 *the operation and maintenance, including training, organi-*

1 zation, and administration, of the Navy Reserve; repair of  
2 facilities and equipment; hire of passenger motor vehicles;  
3 travel and transportation; care of the dead; recruiting; pro-  
4 curement of services, supplies, and equipment; and commu-  
5 nications, \$1,256,347,000.

6 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

7 For expenses, not otherwise provided for, necessary for  
8 the operation and maintenance, including training, organi-  
9 zation, and administration, of the Marine Corps Reserve;  
10 repair of facilities and equipment; hire of passenger motor  
11 vehicles; travel and transportation; care of the dead; recruit-  
12 ing; procurement of services, supplies, and equipment; and  
13 communications, \$277,377,000.

14 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

15 For expenses, not otherwise provided for, necessary for  
16 the operation and maintenance, including training, organi-  
17 zation, and administration, of the Air Force Reserve; repair  
18 of facilities and equipment; hire of passenger motor vehicles;  
19 travel and transportation; care of the dead; recruiting; pro-  
20 curement of services, supplies, and equipment; and commu-  
21 nications, \$3,261,324,000.

22 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

23 For expenses of training, organizing, and admin-  
24 istering the Army National Guard, including medical and  
25 hospital treatment and related expenses in non-Federal hos-

1    *pitals; maintenance, operation, and repairs to structures*  
2    *and facilities; hire of passenger motor vehicles; personnel*  
3    *services in the National Guard Bureau; travel expenses*  
4    *(other than mileage), as authorized by law for Army per-*  
5    *sonnel on active duty, for Army National Guard division,*  
6    *regimental, and battalion commanders while inspecting*  
7    *units in compliance with National Guard Bureau regula-*  
8    *tions when specifically authorized by the Chief, National*  
9    *Guard Bureau; supplying and equipping the Army Na-*  
10    *tional Guard as authorized by law; and expenses of repair,*  
11    *modification, maintenance, and issue of supplies and*  
12    *equipment (including aircraft), \$7,154,161,000.*

13    *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

14        *For expenses of training, organizing, and admin-*  
15    *istering the Air National Guard, including medical and*  
16    *hospital treatment and related expenses in non-Federal hos-*  
17    *pitals; maintenance, operation, and repairs to structures*  
18    *and facilities; transportation of things, hire of passenger*  
19    *motor vehicles; supplying and equipping the Air National*  
20    *Guard, as authorized by law; expenses for repair, modifica-*  
21    *tion, maintenance, and issue of supplies and equipment,*  
22    *including those furnished from stocks under the control of*  
23    *agencies of the Department of Defense; travel expenses (other*  
24    *than mileage) on the same basis as authorized by law for*  
25    *Air National Guard personnel on active Federal duty, for*

1 *Air National Guard commanders while inspecting units in*  
2 *compliance with National Guard Bureau regulations when*  
3 *specifically authorized by the Chief, National Guard Bu-*  
4 *reau, \$6,494,326,000.*

5 *UNITED STATES COURT OF APPEALS FOR THE ARMED*  
6 *FORCES*

7 *For salaries and expenses necessary for the United*  
8 *States Court of Appeals for the Armed Forces, \$13,516,000,*  
9 *of which not to exceed \$5,000 may be used for official rep-*  
10 *resentation purposes.*

11 *ENVIRONMENTAL RESTORATION, ARMY*  
12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the Department of the Army, \$335,921,000, to re-*  
14 *main available until transferred: Provided, That the Sec-*  
15 *retary of the Army shall, upon determining that such funds*  
16 *are required for environmental restoration, reduction and*  
17 *recycling of hazardous waste, removal of unsafe buildings*  
18 *and debris of the Department of the Army, or for similar*  
19 *purposes, transfer the funds made available by this appro-*  
20 *priation to other appropriations made available to the De-*  
21 *partment of the Army, to be merged with and to be available*  
22 *for the same purposes and for the same time period as the*  
23 *appropriations to which transferred: Provided further, That*  
24 *upon a determination that all or part of the funds trans-*  
25 *ferred from this appropriation are not necessary for the*

1 *purposes provided herein, such amounts may be transferred*  
2 *back to this appropriation: Provided further, That the*  
3 *transfer authority provided under this heading is in addi-*  
4 *tion to any other transfer authority provided elsewhere in*  
5 *this Act.*

6 *ENVIRONMENTAL RESTORATION, NAVY*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the Department of the Navy, \$310,594,000, to re-*  
9 *main available until transferred: Provided, That the Sec-*  
10 *retary of the Navy shall, upon determining that such funds*  
11 *are required for environmental restoration, reduction and*  
12 *recycling of hazardous waste, removal of unsafe buildings*  
13 *and debris of the Department of the Navy, or for similar*  
14 *purposes, transfer the funds made available by this appro-*  
15 *priation to other appropriations made available to the De-*  
16 *partment of the Navy, to be merged with and to be available*  
17 *for the same purposes and for the same time period as the*  
18 *appropriations to which transferred: Provided further, That*  
19 *upon a determination that all or part of the funds trans-*  
20 *ferred from this appropriation are not necessary for the*  
21 *purposes provided herein, such amounts may be transferred*  
22 *back to this appropriation: Provided further, That the*  
23 *transfer authority provided under this heading is in addi-*  
24 *tion to any other transfer authority provided elsewhere in*  
25 *this Act.*

1           *ENVIRONMENTAL RESTORATION, AIR FORCE*

2                     *(INCLUDING TRANSFER OF FUNDS)*

3           *For the Department of the Air Force, \$529,263,000,*  
4 *to remain available until transferred: Provided, That the*  
5 *Secretary of the Air Force shall, upon determining that*  
6 *such funds are required for environmental restoration, re-*  
7 *duction and recycling of hazardous waste, removal of unsafe*  
8 *buildings and debris of the Department of the Air Force,*  
9 *or for similar purposes, transfer the funds made available*  
10 *by this appropriation to other appropriations made avail-*  
11 *able to the Department of the Air Force, to be merged with*  
12 *and to be available for the same purposes and for the same*  
13 *time period as the appropriations to which transferred:*  
14 *Provided further, That upon a determination that all or*  
15 *part of the funds transferred from this appropriation are*  
16 *not necessary for the purposes provided herein, such*  
17 *amounts may be transferred back to this appropriation:*  
18 *Provided further, That the transfer authority provided*  
19 *under this heading is in addition to any other transfer au-*  
20 *thority provided elsewhere in this Act.*

21           *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

22                     *(INCLUDING TRANSFER OF FUNDS)*

23           *For the Department of Defense, \$11,133,000, to remain*  
24 *available until transferred: Provided, That the Secretary of*  
25 *Defense shall, upon determining that such funds are re-*

1 *quired for environmental restoration, reduction and recy-*  
2 *cling of hazardous waste, removal of unsafe buildings and*  
3 *debris of the Department of Defense or for similar purposes,*  
4 *transfer the funds made available by this appropriation to*  
5 *other appropriations made available to the Department of*  
6 *Defense, to be merged with and to be available for the same*  
7 *purposes and for the same time period as the appropria-*  
8 *tions to which transferred: Provided further, That upon a*  
9 *determination that all or part of the funds transferred from*  
10 *this appropriation are not necessary for the purposes pro-*  
11 *vided herein, such amounts may be transferred back to this*  
12 *appropriation: Provided further, That the transfer author-*  
13 *ity provided under this heading is in addition to any other*  
14 *transfer authority provided elsewhere in this Act.*

15       *ENVIRONMENTAL RESTORATION, FORMERLY USED*  
16                       *DEFENSE SITES*  
17                       *(INCLUDING TRANSFER OF FUNDS)*

18       *For the Department of the Army, \$287,543,000, to re-*  
19 *main available until transferred: Provided, That the Sec-*  
20 *retary of the Army shall, upon determining that such funds*  
21 *are required for environmental restoration, reduction and*  
22 *recycling of hazardous waste, removal of unsafe buildings*  
23 *and debris at sites formerly used by the Department of De-*  
24 *fense, transfer the funds made available by this appropria-*  
25 *tion to other appropriations made available to the Depart-*

1 *ment of the Army, to be merged with and to be available*  
2 *for the same purposes and for the same time period as the*  
3 *appropriations to which transferred: Provided further, That*  
4 *upon a determination that all or part of the funds trans-*  
5 *ferred from this appropriation are not necessary for the*  
6 *purposes provided herein, such amounts may be transferred*  
7 *back to this appropriation: Provided further, That the*  
8 *transfer authority provided under this heading is in addi-*  
9 *tion to any other transfer authority provided elsewhere in*  
10 *this Act.*

11 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

12 *For expenses relating to the Overseas Humanitarian,*  
13 *Disaster, and Civic Aid programs of the Department of De-*  
14 *fense (consisting of the programs provided under sections*  
15 *401, 402, 404, 407, 2557, and 2561 of title 10, United*  
16 *States Code), \$108,759,000, to remain available until Sep-*  
17 *tember 30, 2014.*

18 *COOPERATIVE THREAT REDUCTION ACCOUNT*

19 *For assistance to the republics of the former Soviet*  
20 *Union and, with appropriate authorization by the Depart-*  
21 *ment of Defense and Department of State, to countries out-*  
22 *side of the former Soviet Union, including assistance pro-*  
23 *vided by contract or by grants, for facilitating the elimi-*  
24 *nation and the safe and secure transportation and storage*  
25 *of nuclear, chemical and other weapons; for establishing*



1 *programs to prevent the proliferation of weapons, weapons*  
2 *components, and weapon-related technology and expertise;*  
3 *for programs relating to the training and support of defense*  
4 *and military personnel for demilitarization and protection*  
5 *of weapons, weapons components and weapons technology*  
6 *and expertise, and for defense and military contacts,*  
7 *\$519,111,000, to remain available until September 30,*  
8 *2015.*

9 *DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE*

10 *DEVELOPMENT FUND*

11 *For the Department of Defense Acquisition Workforce*  
12 *Development Fund, \$50,198,000.*

13 *TITLE III*

14 *PROCUREMENT*

15 *AIRCRAFT PROCUREMENT, ARMY*

16 *For construction, procurement, production, modifica-*  
17 *tion, and modernization of aircraft, equipment, including*  
18 *ordnance, ground handling equipment, spare parts, and ac-*  
19 *cessories therefor; specialized equipment and training de-*  
20 *vices; expansion of public and private plants, including the*  
21 *land necessary therefor, for the foregoing purposes, and such*  
22 *lands and interests therein, may be acquired, and construc-*  
23 *tion prosecuted thereon prior to approval of title; and pro-*  
24 *curement and installation of equipment, appliances, and*  
25 *machine tools in public and private plants; reserve plant*

1 *and Government and contractor-owned equipment layaway;*  
2 *and other expenses necessary for the foregoing purposes,*  
3 *\$6,028,754,000, to remain available for obligation until*  
4 *September 30, 2015.*

5 *MISSILE PROCUREMENT, ARMY*

6 *For construction, procurement, production, modifica-*  
7 *tion, and modernization of missiles, equipment, including*  
8 *ordnance, ground handling equipment, spare parts, and ac-*  
9 *cessories therefor; specialized equipment and training de-*  
10 *vices; expansion of public and private plants, including the*  
11 *land necessary therefor, for the foregoing purposes, and such*  
12 *lands and interests therein, may be acquired, and construc-*  
13 *tion prosecuted thereon prior to approval of title; and pro-*  
14 *curement and installation of equipment, appliances, and*  
15 *machine tools in public and private plants; reserve plant*  
16 *and Government and contractor-owned equipment layaway;*  
17 *and other expenses necessary for the foregoing purposes,*  
18 *\$1,535,433,000, to remain available for obligation until*  
19 *September 30, 2015.*

20 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

21 *VEHICLES, ARMY*

22 *For construction, procurement, production, and modi-*  
23 *fication of weapons and tracked combat vehicles, equipment,*  
24 *including ordnance, spare parts, and accessories therefor;*  
25 *specialized equipment and training devices; expansion of*

1 public and private plants, including the land necessary  
2 therefor, for the foregoing purposes, and such lands and in-  
3 terests therein, may be acquired, and construction pros-  
4 ecuted thereon prior to approval of title; and procurement  
5 and installation of equipment, appliances, and machine  
6 tools in public and private plants; reserve plant and Gov-  
7 ernment and contractor-owned equipment layaway; and  
8 other expenses necessary for the foregoing purposes,  
9 \$1,857,823,000, to remain available for obligation until  
10 September 30, 2015.

11 *PROCUREMENT OF AMMUNITION, ARMY*

12 *For construction, procurement, production, and modi-*  
13 *fication of ammunition, and accessories therefor; specialized*  
14 *equipment and training devices; expansion of public and*  
15 *private plants, including ammunition facilities, authorized*  
16 *by section 2854 of title 10, United States Code, and the*  
17 *land necessary therefor, for the foregoing purposes, and such*  
18 *lands and interests therein, may be acquired, and construc-*  
19 *tion prosecuted thereon prior to approval of title; and pro-*  
20 *curement and installation of equipment, appliances, and*  
21 *machine tools in public and private plants; reserve plant*  
22 *and Government and contractor-owned equipment layaway;*  
23 *and other expenses necessary for the foregoing purposes,*  
24 *\$1,641,306,000, to remain available for obligation until*  
25 *September 30, 2015.*

*OTHER PROCUREMENT, ARMY*

*For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,741,664,000, to remain available for obligation until September 30, 2015.*

*AIRCRAFT PROCUREMENT, NAVY*

*For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and in-*

1 *stallation of equipment, appliances, and machine tools in*  
2 *public and private plants; reserve plant and Government*  
3 *and contractor-owned equipment layaway,*  
4 *\$17,382,152,000, to remain available for obligation until*  
5 *September 30, 2015.*

6 *WEAPONS PROCUREMENT, NAVY*

7 *For construction, procurement, production, modifica-*  
8 *tion, and modernization of missiles, torpedoes, other weap-*  
9 *ons, and related support equipment including spare parts,*  
10 *and accessories therefor; expansion of public and private*  
11 *plants, including the land necessary therefor, and such*  
12 *lands and interests therein, may be acquired, and construc-*  
13 *tion prosecuted thereon prior to approval of title; and pro-*  
14 *curement and installation of equipment, appliances, and*  
15 *machine tools in public and private plants; reserve plant*  
16 *and Government and contractor-owned equipment layaway,*  
17 *\$3,036,871,000, to remain available for obligation until*  
18 *September 30, 2015.*

19 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

20 *CORPS*

21 *For construction, procurement, production, and modi-*  
22 *fication of ammunition, and accessories therefor; specialized*  
23 *equipment and training devices; expansion of public and*  
24 *private plants, including ammunition facilities, authorized*  
25 *by section 2854 of title 10, United States Code, and the*

1 *land necessary therefor, for the foregoing purposes, and such*  
 2 *lands and interests therein, may be acquired, and construc-*  
 3 *tion prosecuted thereon prior to approval of title; and pro-*  
 4 *curement and installation of equipment, appliances, and*  
 5 *machine tools in public and private plants; reserve plant*  
 6 *and Government and contractor-owned equipment layaway;*  
 7 *and other expenses necessary for the foregoing purposes,*  
 8 *\$659,897,000, to remain available for obligation until Sep-*  
 9 *tember 30, 2015.*

10 *SHIPBUILDING AND CONVERSION, NAVY*

11 *For expenses necessary for the construction, acquisi-*  
 12 *tion, or conversion of vessels as authorized by law, includ-*  
 13 *ing armor and armament thereof, plant equipment, appli-*  
 14 *ances, and machine tools and installation thereof in public*  
 15 *and private plants; reserve plant and Government and con-*  
 16 *tractor-owned equipment layaway; procurement of critical,*  
 17 *long lead time components and designs for vessels to be con-*  
 18 *structed or converted in the future; and expansion of public*  
 19 *and private plants, including land necessary therefor, and*  
 20 *such lands and interests therein, may be acquired, and con-*  
 21 *struction prosecuted thereon prior to approval of title, as*  
 22 *follows:*

23 *Carrier Replacement Program, \$565,371,000;*  
 24 *Virginia Class Submarine, \$3,217,601,000;*  
 25 *Virginia Class Submarine (AP), \$1,652,557,000;*

1           *CVN Refuelings, \$1,613,392,000;*  
2           *CVN Refuelings (AP), \$70,010,000;*  
3           *DDG-1000 Program, \$669,222,000;*  
4           *DDG-51 Destroyer, \$4,036,628,000;*  
5           *DDG-51 Destroyer (AP), \$466,283,000;*  
6           *Littoral Combat Ship, \$1,784,959,000;*  
7           *LPD-17 (AP), \$263,255,000;*  
8           *Joint High Speed Vessel, \$189,196,000;*  
9           *Moored Training Ship, \$307,300,000;*  
10          *LCAC Service Life Extension Program,*  
11          *\$85,830,000; and*  
12          *For outfitting, post delivery, conversions, and*  
13          *first destination transportation, \$290,035,000.*  
14          *Completion of Prior Year Shipbuilding Pro-*  
15          *grams, \$372,573,000.*  
16          *In all: \$15,584,212,000, to remain available for obliga-*  
17          *tion until September 30, 2017: Provided, That additional*  
18          *obligations may be incurred after September 30, 2017, for*  
19          *engineering services, tests, evaluations, and other such budg-*  
20          *eted work that must be performed in the final stage of ship*  
21          *construction: Provided further, That none of the funds pro-*  
22          *vided under this heading for the construction or conversion*  
23          *of any naval vessel to be constructed in shipyards in the*  
24          *United States shall be expended in foreign facilities for the*  
25          *construction of major components of such vessel: Provided*

1 *further, That none of the funds provided under this heading*  
2 *shall be used for the construction of any naval vessel in*  
3 *foreign shipyards.*

4 *OTHER PROCUREMENT, NAVY*

5 *For procurement, production, and modernization of*  
6 *support equipment and materials not otherwise provided*  
7 *for, Navy ordnance (except ordnance for new aircraft, new*  
8 *ships, and ships authorized for conversion); the purchase*  
9 *of passenger motor vehicles for replacement only; expansion*  
10 *of public and private plants, including the land necessary*  
11 *therefor, and such lands and interests therein, may be ac-*  
12 *quired, and construction prosecuted thereon prior to ap-*  
13 *proval of title; and procurement and installation of equip-*  
14 *ment, appliances, and machine tools in public and private*  
15 *plants; reserve plant and Government and contractor-owned*  
16 *equipment layaway, \$5,955,078,000, to remain available*  
17 *for obligation until September 30, 2015.*

18 *PROCUREMENT, MARINE CORPS*

19 *For expenses necessary for the procurement, manufac-*  
20 *ture, and modification of missiles, armament, military*  
21 *equipment, spare parts, and accessories therefor; plant*  
22 *equipment, appliances, and machine tools, and installation*  
23 *thereof in public and private plants; reserve plant and Gov-*  
24 *ernment and contractor-owned equipment layaway; vehicles*  
25 *for the Marine Corps, including the purchase of passenger*



1 *motor vehicles for replacement only; and expansion of pub-*  
2 *lic and private plants, including land necessary therefor,*  
3 *and such lands and interests therein, may be acquired, and*  
4 *construction prosecuted thereon prior to approval of title,*  
5 *\$1,411,411,000, to remain available for obligation until*  
6 *September 30, 2015.*

7 *AIRCRAFT PROCUREMENT, AIR FORCE*

8 *For construction, procurement, and modification of*  
9 *aircraft and equipment, including armor and armament,*  
10 *specialized ground handling equipment, and training de-*  
11 *vices, spare parts, and accessories therefor; specialized*  
12 *equipment; expansion of public and private plants, Govern-*  
13 *ment-owned equipment and installation thereof in such*  
14 *plants, erection of structures, and acquisition of land, for*  
15 *the foregoing purposes, and such lands and interests therein,*  
16 *may be acquired, and construction prosecuted thereon prior*  
17 *to approval of title; reserve plant and Government and con-*  
18 *tractor-owned equipment layaway; and other expenses nec-*  
19 *essary for the foregoing purposes including rents and trans-*  
20 *portation of things, \$11,774,019,000, to remain available*  
21 *for obligation until September 30, 2015.*

22 *MISSILE PROCUREMENT, AIR FORCE*

23 *For construction, procurement, and modification of*  
24 *missiles, spacecraft, rockets, and related equipment, includ-*  
25 *ing spare parts and accessories therefor, ground handling*

1 *equipment, and training devices; expansion of public and*  
2 *private plants, Government-owned equipment and installa-*  
3 *tion thereof in such plants, erection of structures, and ac-*  
4 *quisition of land, for the foregoing purposes, and such lands*  
5 *and interests therein, may be acquired, and construction*  
6 *prosecuted thereon prior to approval of title; reserve plant*  
7 *and Government and contractor-owned equipment layaway;*  
8 *and other expenses necessary for the foregoing purposes in-*  
9 *cluding rents and transportation of things, \$4,962,376,000,*  
10 *to remain available for obligation until September 30,*  
11 *2015.*

12 *PROCUREMENT OF AMMUNITION, AIR FORCE*

13 *For construction, procurement, production, and modi-*  
14 *fication of ammunition, and accessories therefor; specialized*  
15 *equipment and training devices; expansion of public and*  
16 *private plants, including ammunition facilities, authorized*  
17 *by section 2854 of title 10, United States Code, and the*  
18 *land necessary therefor, for the foregoing purposes, and such*  
19 *lands and interests therein, may be acquired, and construc-*  
20 *tion prosecuted thereon prior to approval of title; and pro-*  
21 *curement and installation of equipment, appliances, and*  
22 *machine tools in public and private plants; reserve plant*  
23 *and Government and contractor-owned equipment layaway;*  
24 *and other expenses necessary for the foregoing purposes,*

1 \$594,694,000, to remain available for obligation until Sep-  
2 tember 30, 2015.

3 *OTHER PROCUREMENT, AIR FORCE*

4 *For procurement and modification of equipment (in-*  
5 *cluding ground guidance and electronic control equipment,*  
6 *and ground electronic and communication equipment), and*  
7 *supplies, materials, and spare parts therefor, not otherwise*  
8 *provided for; the purchase of passenger motor vehicles for*  
9 *replacement only; lease of passenger motor vehicles; and ex-*  
10 *pansion of public and private plants, Government-owned*  
11 *equipment and installation thereof in such plants, erection*  
12 *of structures, and acquisition of land, for the foregoing pur-*  
13 *poses, and such lands and interests therein, may be ac-*  
14 *quired, and construction prosecuted thereon, prior to ap-*  
15 *proval of title; reserve plant and Government and con-*  
16 *tractor-owned equipment layaway, \$17,082,508,000, to re-*  
17 *main available for obligation until September 30, 2015.*

18 *PROCUREMENT, DEFENSE-WIDE*

19 *For expenses of activities and agencies of the Depart-*  
20 *ment of Defense (other than the military departments) nec-*  
21 *essary for procurement, production, and modification of*  
22 *equipment, supplies, materials, and spare parts therefor,*  
23 *not otherwise provided for; the purchase of passenger motor*  
24 *vehicles for replacement only; expansion of public and pri-*  
25 *vate plants, equipment, and installation thereof in such*

1 *plants, erection of structures, and acquisition of land for*  
 2 *the foregoing purposes, and such lands and interests therein,*  
 3 *may be acquired, and construction prosecuted thereon prior*  
 4 *to approval of title; reserve plant and Government and con-*  
 5 *tractor-owned equipment layaway, \$4,878,985,000, to re-*  
 6 *main available for obligation until September 30, 2015.*

7 *DEFENSE PRODUCTION ACT PURCHASES*

8 *For activities by the Department of Defense pursuant*  
 9 *to sections 108, 301, 302, and 303 of the Defense Production*  
 10 *Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093),*  
 11 *\$223,531,000, to remain available until expended.*

12 *TITLE IV*

13 *RESEARCH, DEVELOPMENT, TEST AND*

14 *EVALUATION*

15 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

16 *For expenses necessary for basic and applied scientific*  
 17 *research, development, test and evaluation, including main-*  
 18 *tenance, rehabilitation, lease, and operation of facilities*  
 19 *and equipment, \$8,676,627,000, to remain available for ob-*  
 20 *ligation until September 30, 2014.*

21 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

22 *For expenses necessary for basic and applied scientific*  
 23 *research, development, test and evaluation, including main-*  
 24 *tenance, rehabilitation, lease, and operation of facilities*  
 25 *and equipment, \$16,963,398,000, to remain available for*

1 *obligation until September 30, 2014: Provided, That funds*  
2 *appropriated in this paragraph which are available for the*  
3 *V-22 may be used to meet unique operational requirements*  
4 *of the Special Operations Forces: Provided further, That*  
5 *funds appropriated in this paragraph shall be available for*  
6 *the Cobra Judy program.*

7 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
8 *FORCE*

9 *For expenses necessary for basic and applied scientific*  
10 *research, development, test and evaluation, including main-*  
11 *tenance, rehabilitation, lease, and operation of facilities*  
12 *and equipment, \$25,432,738,000, to remain available for*  
13 *obligation until September 30, 2014.*

14 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
15 *DEFENSE-WIDE*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For expenses of activities and agencies of the Depart-*  
18 *ment of Defense (other than the military departments), nec-*  
19 *essary for basic and applied scientific research, develop-*  
20 *ment, test and evaluation; advanced research projects as*  
21 *may be designated and determined by the Secretary of De-*  
22 *fense, pursuant to law; maintenance, rehabilitation, lease,*  
23 *and operation of facilities and equipment, \$18,631,946,000,*  
24 *to remain available for obligation until September 30,*  
25 *2014: Provided, That of the funds made available in this*

1 paragraph, \$250,000,000 for the Defense Rapid Innovation  
2 Program shall only be available for expenses, not otherwise  
3 provided for, to include program management and over-  
4 sight, to conduct research, development, test and evaluation  
5 to include proof of concept demonstration; engineering, test-  
6 ing, and validation; and transition to full-scale production:  
7 Provided further, That the Secretary of Defense may trans-  
8 fer funds provided herein for the Defense Rapid Innovation  
9 Program to appropriations for research, development, test  
10 and evaluation to accomplish the purpose provided herein:  
11 Provided further, That this transfer authority is in addi-  
12 tion to any other transfer authority available to the Depart-  
13 ment of Defense: Provided further, That the Secretary of  
14 Defense shall, not fewer than 30 days prior to making  
15 transfers from this appropriation, notify the congressional  
16 defense committees in writing of the details of any such  
17 transfer.

18       *OPERATIONAL TEST AND EVALUATION, DEFENSE*

19       *For expenses, not otherwise provided for, necessary for*  
20 *the independent activities of the Director, Operational Test*  
21 *and Evaluation, in the direction and supervision of oper-*  
22 *ational test and evaluation, including initial operational*  
23 *test and evaluation which is conducted prior to, and in sup-*  
24 *port of, production decisions; joint operational testing and*  
25 *evaluation; and administrative expenses in connection*

1 *therewith, \$223,768,000, to remain available for obligation*  
2 *until September 30, 2014.*

3 *TITLE V*

4 *REVOLVING AND MANAGEMENT FUNDS*

5 *DEFENSE WORKING CAPITAL FUNDS*

6 *For the Defense Working Capital Funds,*  
7 *\$1,516,184,000.*

8 *NATIONAL DEFENSE SEALIFT FUND*

9 *For National Defense Sealift Fund programs, projects,*  
10 *and activities, and for expenses of the National Defense Re-*  
11 *serve Fleet, as established by section 11 of the Merchant*  
12 *Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the*  
13 *necessary expenses to maintain and preserve a U.S.-flag*  
14 *merchant fleet to serve the national security needs of the*  
15 *United States, \$697,840,000, to remain available until ex-*  
16 *pended: Provided, That none of the funds provided in this*  
17 *paragraph shall be used to award a new contract that pro-*  
18 *vides for the acquisition of any of the following major com-*  
19 *ponents unless such components are manufactured in the*  
20 *United States: auxiliary equipment, including pumps, for*  
21 *all shipboard services; propulsion system components (en-*  
22 *gines, reduction gears, and propellers); shipboard cranes;*  
23 *and spreaders for shipboard cranes: Provided further, That*  
24 *the exercise of an option in a contract awarded through the*  
25 *obligation of previously appropriated funds shall not be*

1 *considered to be the award of a new contract: Provided fur-*  
 2 *ther, That the Secretary of the military department respon-*  
 3 *sible for such procurement may waive the restrictions in*  
 4 *the first proviso on a case-by-case basis by certifying in*  
 5 *writing to the Committees on Appropriations of the House*  
 6 *of Representatives and the Senate that adequate domestic*  
 7 *supplies are not available to meet Department of Defense*  
 8 *requirements on a timely basis and that such an acquisition*  
 9 *must be made in order to acquire capability for national*  
 10 *security purposes.*

# 11 *TITLE VI*

## 12 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

### 13 *DEFENSE HEALTH PROGRAM*

14 *For expenses, not otherwise provided for, for medical*  
 15 *and health care programs of the Department of Defense as*  
 16 *authorized by law, \$32,715,304,000; of which*  
 17 *\$30,885,165,000 shall be for operation and maintenance, of*  
 18 *which not to exceed one percent shall remain available until*  
 19 *September 30, 2014, and of which up to \$15,934,952,000*  
 20 *may be available for contracts entered into under the*  
 21 *TRICARE program; of which \$521,762,000, to remain*  
 22 *available for obligation until September 30, 2015, shall be*  
 23 *for procurement; and of which \$1,308,377,000, to remain*  
 24 *available for obligation until September 30, 2014, shall be*  
 25 *for research, development, test and evaluation: Provided,*



1 *That, notwithstanding any other provision of law, of the*  
2 *amount made available under this heading for research, de-*  
3 *velopment, test and evaluation, not less than \$8,000,000*  
4 *shall be available for HIV prevention educational activities*  
5 *undertaken in connection with United States military*  
6 *training, exercises, and humanitarian assistance activities*  
7 *conducted primarily in African nations: Provided further,*  
8 *That of the funds provided to develop a joint Department*  
9 *of Defense—Department of Veterans Affairs (DOD–VA) in-*  
10 *tegrated Electronic Health Record, not more than 25 per-*  
11 *cent may be obligated until the DOD–VA Interagency Pro-*  
12 *gram Office submits to the Committees on Appropriations*  
13 *of both Houses of Congress, and such Committees approve,*  
14 *a plan for expenditure that: (1) defines the budget and cost*  
15 *baseline for development of the integrated Electronic Health*  
16 *Record; (2) identifies the deployment timeline for the system*  
17 *for both agencies; (3) breaks out annual and total spending*  
18 *for each Department; (4) relays detailed cost-sharing busi-*  
19 *ness rules; (5) establishes data standardization schedules be-*  
20 *tween the Departments; (6) has been submitted to the Gov-*  
21 *ernment Accountability Office for review; and (7) complies*  
22 *with the acquisition rules, requirements, guidelines, and*  
23 *systems acquisition management practices of the Federal*  
24 *Government.*

*CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
DEFENSE*

*For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.*

1     *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*  
2                                     *DEFENSE*

3                     *(INCLUDING TRANSFER OF FUNDS)*

4         *For drug interdiction and counter-drug activities of*  
5 *the Department of Defense, for transfer to appropriations*  
6 *available to the Department of Defense for military per-*  
7 *sonnel of the reserve components serving under the provi-*  
8 *sions of title 10 and title 32, United States Code; for oper-*  
9 *ation and maintenance; for procurement; and for research,*  
10 *development, test and evaluation, \$1,159,263,000: Provided,*  
11 *That the funds appropriated under this heading shall be*  
12 *available for obligation for the same time period and for*  
13 *the same purpose as the appropriation to which transferred:*  
14 *Provided further, That upon a determination that all or*  
15 *part of the funds transferred from this appropriation are*  
16 *not necessary for the purposes provided herein, such*  
17 *amounts may be transferred back to this appropriation:*  
18 *Provided further, That the transfer authority provided*  
19 *under this heading is in addition to any other transfer au-*  
20 *thority contained elsewhere in this Act.*

21                     *OFFICE OF THE INSPECTOR GENERAL*

22         *For expenses and activities of the Office of the Inspec-*  
23 *tor General in carrying out the provisions of the Inspector*  
24 *General Act of 1978, as amended, \$350,321,000, of which*  
25 *\$347,621,000 shall be for operation and maintenance, of*

1 *which not to exceed \$700,000 is available for emergencies*  
2 *and extraordinary expenses to be expended on the approval*  
3 *or authority of the Inspector General, and payments may*  
4 *be made on the Inspector General's certificate of necessity*  
5 *for confidential military purposes; and of which \$2,700,000,*  
6 *to remain available until September 30, 2015, shall be for*  
7 *procurement.*

## 8 *TITLE VII*

### 9 *RELATED AGENCIES*

#### 10 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

#### 11 *DISABILITY SYSTEM FUND*

12 *For payment to the Central Intelligence Agency Retire-*  
13 *ment and Disability System Fund, to maintain the proper*  
14 *funding level for continuing the operation of the Central*  
15 *Intelligence Agency Retirement and Disability System,*  
16 *\$514,000,000.*

#### 17 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

18 *For necessary expenses of the Intelligence Community*  
19 *Management Account, \$534,421,000.*

## 20 *TITLE VIII*

### 21 *GENERAL PROVISIONS*

22 *SEC. 8001. No part of any appropriation contained*  
23 *in this Act shall be used for publicity or propaganda pur-*  
24 *poses not authorized by the Congress.*

1       *SEC. 8002. During the current fiscal year, provisions*  
2   *of law prohibiting the payment of compensation to, or em-*  
3   *ployment of, any person not a citizen of the United States*  
4   *shall not apply to personnel of the Department of Defense:*  
5   *Provided, That salary increases granted to direct and indi-*  
6   *rect hire foreign national employees of the Department of*  
7   *Defense funded by this Act shall not be at a rate in excess*  
8   *of the percentage increase authorized by law for civilian*  
9   *employees of the Department of Defense whose pay is com-*  
10   *puted under the provisions of section 5332 of title 5, United*  
11   *States Code, or at a rate in excess of the percentage increase*  
12   *provided by the appropriate host nation to its own employ-*  
13   *ees, whichever is higher: Provided further, That this section*  
14   *shall not apply to Department of Defense foreign service*  
15   *national employees serving at United States diplomatic*  
16   *missions whose pay is set by the Department of State under*  
17   *the Foreign Service Act of 1980: Provided further, That the*  
18   *limitations of this provision shall not apply to foreign na-*  
19   *tional employees of the Department of Defense in the Re-*  
20   *public of Turkey.*

21       *SEC. 8003. No part of any appropriation contained*  
22   *in this Act shall remain available for obligation beyond the*  
23   *current fiscal year, unless expressly so provided herein.*

24       *SEC. 8004. No more than 20 percent of the appropria-*  
25   *tions in this Act which are limited for obligation during*

1 *the current fiscal year shall be obligated during the last 2*  
2 *months of the fiscal year: Provided, That this section shall*  
3 *not apply to obligations for support of active duty training*  
4 *of reserve components or summer camp training of the Re-*  
5 *serve Officers' Training Corps.*

6 (TRANSFER OF FUNDS)

7 *SEC. 8005. Upon determination by the Secretary of*  
8 *Defense that such action is necessary in the national inter-*  
9 *est, he may, with the approval of the Office of Management*  
10 *and Budget, transfer not to exceed \$4,000,000,000 of work-*  
11 *ing capital funds of the Department of Defense or funds*  
12 *made available in this Act to the Department of Defense*  
13 *for military functions (except military construction) be-*  
14 *tween such appropriations or funds or any subdivision*  
15 *thereof, to be merged with and to be available for the same*  
16 *purposes, and for the same time period, as the appropria-*  
17 *tion or fund to which transferred: Provided, That such au-*  
18 *thority to transfer may not be used unless for higher pri-*  
19 *ority items, based on unforeseen military requirements,*  
20 *than those for which originally appropriated and in no case*  
21 *where the item for which funds are requested has been de-*  
22 *nied by the Congress: Provided further, That the Secretary*  
23 *of Defense shall notify the Congress promptly of all transfers*  
24 *made pursuant to this authority or any other authority in*  
25 *this Act: Provided further, That no part of the funds in*

1 *this Act shall be available to prepare or present a request*  
2 *to the Committees on Appropriations for reprogramming*  
3 *of funds, unless for higher priority items, based on unfore-*  
4 *seen military requirements, than those for which originally*  
5 *appropriated and in no case where the item for which re-*  
6 *programming is requested has been denied by the Congress:*  
7 *Provided further, That a request for multiple*  
8 *reprogrammings of funds using authority provided in this*  
9 *section shall be made prior to June 30, 2013: Provided fur-*  
10 *ther, That transfers among military personnel appropria-*  
11 *tions shall not be taken into account for purposes of the*  
12 *limitation on the amount of funds that may be transferred*  
13 *under this section.*

14 *SEC. 8006. (a) With regard to the list of specific pro-*  
15 *grams, projects, and activities (and the dollar amounts and*  
16 *adjustments to budget activities corresponding to such pro-*  
17 *grams, projects, and activities) contained in the tables titled*  
18 *“Explanation of Project Level Adjustments” in the explana-*  
19 *tory statement described in section 4 (in the matter pre-*  
20 *ceding division A of this consolidated Act), the obligation*  
21 *and expenditure of amounts appropriated or otherwise*  
22 *made available in this Act for those programs, projects, and*  
23 *activities for which the amounts appropriated exceed the*  
24 *amounts requested are hereby required by law to be carried*

1 *out in the manner provided by such tables to the same ex-*  
2 *tent as if the tables were included in the text of this Act.*

3 *(b) Amounts specified in the referenced tables described*  
4 *in subsection (a) shall not be treated as subdivisions of ap-*  
5 *propriations for purposes of section 8005 of this Act: Pro-*  
6 *vided, That section 8005 shall apply when transfers of the*  
7 *amounts described in subsection (a) occur between appro-*  
8 *priation accounts.*

9 *SEC. 8007. (a) Not later than 60 days after enactment*  
10 *of this Act, the Department of Defense shall submit a report*  
11 *to the congressional defense committees to establish the base-*  
12 *line for application of reprogramming and transfer au-*  
13 *thorities for fiscal year 2013: Provided, That the report*  
14 *shall include—*

15 *(1) a table for each appropriation with a sepa-*  
16 *rate column to display the President's budget request,*  
17 *adjustments made by Congress, adjustments due to*  
18 *enacted rescissions, if appropriate, and the fiscal year*  
19 *enacted level;*

20 *(2) a delineation in the table for each appropria-*  
21 *tion both by budget activity and program, project,*  
22 *and activity as detailed in the Budget Appendix; and*

23 *(3) an identification of items of special congres-*  
24 *sional interest.*



9           *SEC. 8008. During the current fiscal year, cash bal-*  
10 *ances in working capital funds of the Department of De-*  
11 *fense established pursuant to section 2208 of title 10, United*  
12 *States Code, may be maintained in only such amounts as*  
13 *are necessary at any time for cash disbursements to be made*  
14 *from such funds: Provided, That transfers may be made be-*  
15 *tween such funds: Provided further, That transfers may be*  
16 *made between working capital funds and the “Foreign Cur-*  
17 *rency Fluctuations, Defense” appropriation and the “Oper-*  
18 *ation and Maintenance” appropriation accounts in such*  
19 *amounts as may be determined by the Secretary of Defense,*  
20 *with the approval of the Office of Management and Budget,*  
21 *except that such transfers may not be made unless the Sec-*  
22 *retary of Defense has notified the Congress of the proposed*  
23 *transfer. Except in amounts equal to the amounts appro-*  
24 *priated to working capital funds in this Act, no obligations*  
25 *may be made against a working capital fund to procure*

1 *or increase the value of war reserve material inventory, un-*  
2 *less the Secretary of Defense has notified the Congress prior*  
3 *to any such obligation.*

4 *SEC. 8009. Funds appropriated by this Act may not*  
5 *be used to initiate a special access program without prior*  
6 *notification 30 calendar days in advance to the congress-*  
7 *sional defense committees.*

8 *SEC. 8010. None of the funds provided in this Act shall*  
9 *be available to initiate: (1) a multiyear contract that em-*  
10 *loys economic order quantity procurement in excess of*  
11 *\$20,000,000 in any one year of the contract or that includes*  
12 *an unfunded contingent liability in excess of \$20,000,000;*  
13 *or (2) a contract for advance procurement leading to a*  
14 *multiyear contract that employs economic order quantity*  
15 *procurement in excess of \$20,000,000 in any one year, un-*  
16 *less the congressional defense committees have been notified*  
17 *at least 30 days in advance of the proposed contract award:*  
18 *Provided, That no part of any appropriation contained in*  
19 *this Act shall be available to initiate a multiyear contract*  
20 *for which the economic order quantity advance procurement*  
21 *is not funded at least to the limits of the Government's li-*  
22 *ability: Provided further, That no part of any appropria-*  
23 *tion contained in this Act shall be available to initiate*  
24 *multiyear procurement contracts for any systems or compo-*  
25 *nent thereof if the value of the multiyear contract would*

1 *exceed \$500,000,000 unless specifically provided in this Act:*  
2 *Provided further, That no multiyear procurement contract*  
3 *can be terminated without 10-day prior notification to the*  
4 *congressional defense committees: Provided further, That the*  
5 *execution of multiyear authority shall require the use of a*  
6 *present value analysis to determine lowest cost compared*  
7 *to an annual procurement: Provided further, That none of*  
8 *the funds provided in this Act may be used for a multiyear*  
9 *contract executed after the date of the enactment of this Act*  
10 *unless in the case of any such contract—*

11           *(1) the Secretary of Defense has submitted to*  
12           *Congress a budget request for full funding of units to*  
13           *be procured through the contract and, in the case of*  
14           *a contract for procurement of aircraft, that includes,*  
15           *for any aircraft unit to be procured through the con-*  
16           *tract for which procurement funds are requested in*  
17           *that budget request for production beyond advance*  
18           *procurement activities in the fiscal year covered by*  
19           *the budget, full funding of procurement of such unit*  
20           *in that fiscal year;*

21           *(2) cancellation provisions in the contract do not*  
22           *include consideration of recurring manufacturing*  
23           *costs of the contractor associated with the production*  
24           *of unfunded units to be delivered under the contract;*

1           (3) the contract provides that payments to the  
2           contractor under the contract shall not be made in  
3           advance of incurred costs on funded units; and

4           (4) the contract does not provide for a price ad-  
5           justment based on a failure to award a follow-on con-  
6           tract.

7           Funds appropriated in title III of this Act may be  
8           used for a multiyear procurement contract as follows:

9           F/A-18E, F/A-18F, and EA-18G aircraft; up to 10  
10          DDG-51 Arleigh Burke class Flight IIA guided missile de-  
11          stroyers, as well as the AEGIS Weapon Systems, MK 41  
12          Vertical Launching Systems, and Commercial Broadband  
13          Satellite Systems associated with those vessels; SSN-774  
14          Virginia class submarine and government-furnished equip-  
15          ment; CH-47 Chinook helicopter; and V-22 Osprey aircraft  
16          variants.

17          SEC. 8011. Within the funds appropriated for the oper-  
18          ation and maintenance of the Armed Forces, funds are here-  
19          by appropriated pursuant to section 401 of title 10, United  
20          States Code, for humanitarian and civic assistance costs  
21          under chapter 20 of title 10, United States Code. Such funds  
22          may also be obligated for humanitarian and civic assist-  
23          ance costs incidental to authorized operations and pursuant  
24          to authority granted in section 401 of chapter 20 of title  
25          10, United States Code, and these obligations shall be re-

1 *ported as required by section 401(d) of title 10, United*  
2 *States Code: Provided, That funds available for operation*  
3 *and maintenance shall be available for providing humani-*  
4 *tarian and similar assistance by using Civic Action Teams*  
5 *in the Trust Territories of the Pacific Islands and freely*  
6 *associated states of Micronesia, pursuant to the Compact*  
7 *of Free Association as authorized by Public Law 99-239:*  
8 *Provided further, That upon a determination by the Sec-*  
9 *retary of the Army that such action is beneficial for grad-*  
10 *uate medical education programs conducted at Army med-*  
11 *ical facilities located in Hawaii, the Secretary of the Army*  
12 *may authorize the provision of medical services at such fa-*  
13 *cilities and transportation to such facilities, on a nonreim-*  
14 *bursable basis, for civilian patients from American Samoa,*  
15 *the Commonwealth of the Northern Mariana Islands, the*  
16 *Marshall Islands, the Federated States of Micronesia,*  
17 *Palau, and Guam.*

18       *SEC. 8012. (a) During fiscal year 2013, the civilian*  
19 *personnel of the Department of Defense may not be man-*  
20 *aged on the basis of any end-strength, and the management*  
21 *of such personnel during that fiscal year shall not be subject*  
22 *to any constraint or limitation (known as an end-strength)*  
23 *on the number of such personnel who may be employed on*  
24 *the last day of such fiscal year.*

1       (b) *The fiscal year 2014 budget request for the Depart-*  
2 *ment of Defense as well as all justification material and*  
3 *other documentation supporting the fiscal year 2014 De-*  
4 *partment of Defense budget request shall be prepared and*  
5 *submitted to the Congress as if subsections (a) and (b) of*  
6 *this provision were effective with regard to fiscal year 2014.*

7       (c) *Nothing in this section shall be construed to apply*  
8 *to military (civilian) technicians.*

9       SEC. 8013. *None of the funds made available by this*  
10 *Act shall be used in any way, directly or indirectly, to in-*  
11 *fluence congressional action on any legislation or appro-*  
12 *priation matters pending before the Congress.*

13       SEC. 8014. *None of the funds appropriated by this Act*  
14 *shall be available for the basic pay and allowances of any*  
15 *member of the Army participating as a full-time student*  
16 *and receiving benefits paid by the Secretary of Veterans Af-*  
17 *fairs from the Department of Defense Education Benefits*  
18 *Fund when time spent as a full-time student is credited*  
19 *toward completion of a service commitment: Provided, That*  
20 *this section shall not apply to those members who have reen-*  
21 *listed with this option prior to October 1, 1987: Provided*  
22 *further, That this section applies only to active components*  
23 *of the Army.*

(TRANSFER OF FUNDS)

1  
2       *SEC. 8015. Funds appropriated in title III of this Act*  
3 *for the Department of Defense Pilot Mentor-Protégé Pro-*  
4 *gram may be transferred to any other appropriation con-*  
5 *tained in this Act solely for the purpose of implementing*  
6 *a Mentor-Protégé Program developmental assistance agree-*  
7 *ment pursuant to section 831 of the National Defense Au-*  
8 *thorization Act for Fiscal Year 1991 (Public Law 101–510;*  
9 *10 U.S.C. 2302 note), as amended, under the authority of*  
10 *this provision or any other transfer authority contained in*  
11 *this Act.*

12       *SEC. 8016. None of the funds in this Act may be avail-*  
13 *able for the purchase by the Department of Defense (and*  
14 *its departments and agencies) of welded shipboard anchor*  
15 *and mooring chain 4 inches in diameter and under unless*  
16 *the anchor and mooring chain are manufactured in the*  
17 *United States from components which are substantially*  
18 *manufactured in the United States: Provided, That for the*  
19 *purpose of this section, the term “manufactured” shall in-*  
20 *clude cutting, heat treating, quality control, testing of chain*  
21 *and welding (including the forging and shot blasting proc-*  
22 *ess): Provided further, That for the purpose of this section*  
23 *substantially all of the components of anchor and mooring*  
24 *chain shall be considered to be produced or manufactured*  
25 *in the United States if the aggregate cost of the components*

1 *produced or manufactured in the United States exceeds the*  
2 *aggregate cost of the components produced or manufactured*  
3 *outside the United States: Provided further, That when ade-*  
4 *quate domestic supplies are not available to meet Depart-*  
5 *ment of Defense requirements on a timely basis, the Sec-*  
6 *retary of the service responsible for the procurement may*  
7 *waive this restriction on a case-by-case basis by certifying*  
8 *in writing to the Committees on Appropriations that such*  
9 *an acquisition must be made in order to acquire capability*  
10 *for national security purposes.*

11 *SEC. 8017. None of the funds available to the Depart-*  
12 *ment of Defense may be used to demilitarize or dispose of*  
13 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*  
14 *rifles, .30 caliber rifles, or M-1911 pistols, or to demili-*  
15 *tarize or destroy small arms ammunition or ammunition*  
16 *components that are not otherwise prohibited from commer-*  
17 *cial sale under Federal law, unless the small arms ammuni-*  
18 *tion or ammunition components are certified by the Sec-*  
19 *retary of the Army or designee as unserviceable or unsafe*  
20 *for further use.*

21 *SEC. 8018. No more than \$500,000 of the funds appro-*  
22 *priated or made available in this Act shall be used during*  
23 *a single fiscal year for any single relocation of an organiza-*  
24 *tion, unit, activity or function of the Department of Defense*  
25 *into or within the National Capital Region: Provided, That*



1 *the Secretary of Defense may waive this restriction on a*  
2 *case-by-case basis by certifying in writing to the congres-*  
3 *sional defense committees that such a relocation is required*  
4 *in the best interest of the Government.*

5       *SEC. 8019. In addition to the funds provided elsewhere*  
6 *in this Act, \$15,000,000 is appropriated only for incentive*  
7 *payments authorized by section 504 of the Indian Financ-*  
8 *ing Act of 1974 (25 U.S.C. 1544): Provided, That a prime*  
9 *contractor or a subcontractor at any tier that makes a sub-*  
10 *contract award to any subcontractor or supplier as defined*  
11 *in section 1544 of title 25, United States Code, or a small*  
12 *business owned and controlled by an individual or individ-*  
13 *uals defined under section 4221(9) of title 25, United States*  
14 *Code, shall be considered a contractor for the purposes of*  
15 *being allowed additional compensation under section 504*  
16 *of the Indian Financing Act of 1974 (25 U.S.C. 1544)*  
17 *whenever the prime contract or subcontract amount is over*  
18 *\$500,000 and involves the expenditure of funds appro-*  
19 *priated by an Act making Appropriations for the Depart-*  
20 *ment of Defense with respect to any fiscal year: Provided*  
21 *further, That notwithstanding section 1906 of title 41,*  
22 *United States Code, this section shall be applicable to any*  
23 *Department of Defense acquisition of supplies or services,*  
24 *including any contract and any subcontract at any tier for*  
25 *acquisition of commercial items produced or manufactured,*

1 *in whole or in part, by any subcontractor or supplier de-*  
2 *fin ed in section 1544 of title 25, United States Code, or*  
3 *a small business owned and controlled by an individual or*  
4 *individuals defined under section 4221(9) of title 25,*  
5 *United States Code.*

6       *SEC. 8020. Funds appropriated by this Act for the De-*  
7 *fense Media Activity shall not be used for any national or*  
8 *international political or psychological activities.*

9       *SEC. 8021. During the current fiscal year, the Depart-*  
10 *ment of Defense is authorized to incur obligations of not*  
11 *to exceed \$350,000,000 for purposes specified in section*  
12 *2350j(c) of title 10, United States Code, in anticipation of*  
13 *receipt of contributions, only from the Government of Ku-*  
14 *wait, under that section: Provided, That upon receipt, such*  
15 *contributions from the Government of Kuwait shall be cred-*  
16 *ited to the appropriations or fund which incurred such obli-*  
17 *gations.*

18       *SEC. 8022. (a) Of the funds made available in this*  
19 *Act, not less than \$38,634,000 shall be available for the*  
20 *Civil Air Patrol Corporation, of which—*

21               *(1) \$28,404,000 shall be available from “Oper-*  
22 *ation and Maintenance, Air Force” to support Civil*  
23 *Air Patrol Corporation operation and maintenance,*  
24 *readiness, counterdrug activities, and drug demand*  
25 *reduction activities involving youth programs;*

1           (2) \$9,298,000 shall be available from “Aircraft  
2       *Procurement, Air Force*”; and

3           (3) \$932,000 shall be available from “Other Pro-  
4       *curement, Air Force*” for vehicle procurement.

5       (b) *The Secretary of the Air Force should waive reim-*  
6 *bursement for any funds used by the Civil Air Patrol for*  
7 *counter-drug activities in support of Federal, State, and*  
8 *local government agencies.*

9       SEC. 8023. (a) *None of the funds appropriated in this*  
10 *Act are available to establish a new Department of Defense*  
11 *(department) federally funded research and development*  
12 *center (FFRDC), either as a new entity, or as a separate*  
13 *entity administrated by an organization managing another*  
14 *FFRDC, or as a nonprofit membership corporation con-*  
15 *sisting of a consortium of other FFRDCs and other non-*  
16 *profit entities.*

17       (b) *No member of a Board of Directors, Trustees, Over-*  
18 *seers, Advisory Group, Special Issues Panel, Visiting Com-*  
19 *mittee, or any similar entity of a defense FFRDC, and no*  
20 *paid consultant to any defense FFRDC, except when acting*  
21 *in a technical advisory capacity, may be compensated for*  
22 *his or her services as a member of such entity, or as a paid*  
23 *consultant by more than one FFRDC in a fiscal year: Pro-*  
24 *vided, That a member of any such entity referred to pre-*  
25 *viously in this subsection shall be allowed travel expenses*

1 *and per diem as authorized under the Federal Joint Travel*  
2 *Regulations, when engaged in the performance of member-*  
3 *ship duties.*

4 *(c) Notwithstanding any other provision of law, none*  
5 *of the funds available to the department from any source*  
6 *during fiscal year 2013 may be used by a defense FFRDC,*  
7 *through a fee or other payment mechanism, for construction*  
8 *of new buildings, for payment of cost sharing for projects*  
9 *funded by Government grants, for absorption of contract*  
10 *overruns, or for certain charitable contributions, not to in-*  
11 *clude employee participation in community service and/or*  
12 *development.*

13 *(d) Notwithstanding any other provision of law, of the*  
14 *funds available to the department during fiscal year 2013,*  
15 *not more than 5,750 staff years of technical effort (staff*  
16 *years) may be funded for defense FFRDCs: Provided; That*  
17 *of the specific amount referred to previously in this sub-*  
18 *section, not more than 1,125 staff years may be funded for*  
19 *the defense studies and analysis FFRDCs: Provided further,*  
20 *That this subsection shall not apply to staff years funded*  
21 *in the National Intelligence Program (NIP) and the Mili-*  
22 *tary Intelligence Program (MIP).*

23 *(e) The Secretary of Defense shall, with the submission*  
24 *of the department's fiscal year 2014 budget request, submit*  
25 *a report presenting the specific amounts of staff years of*

1 *technical effort to be allocated for each defense FFRDC dur-*  
2 *ing that fiscal year and the associated budget estimates.*

3       *SEC. 8024. None of the funds appropriated or made*  
4 *available in this Act shall be used to procure carbon, alloy,*  
5 *or armor steel plate for use in any Government-owned facil-*  
6 *ity or property under the control of the Department of De-*  
7 *fense which were not melted and rolled in the United States*  
8 *or Canada: Provided, That these procurement restrictions*  
9 *shall apply to any and all Federal Supply Class 9515,*  
10 *American Society of Testing and Materials (ASTM) or*  
11 *American Iron and Steel Institute (AISI) specifications of*  
12 *carbon, alloy or armor steel plate: Provided further, That*  
13 *the Secretary of the military department responsible for the*  
14 *procurement may waive this restriction on a case-by-case*  
15 *basis by certifying in writing to the Committees on Appro-*  
16 *priations of the House of Representatives and the Senate*  
17 *that adequate domestic supplies are not available to meet*  
18 *Department of Defense requirements on a timely basis and*  
19 *that such an acquisition must be made in order to acquire*  
20 *capability for national security purposes: Provided further,*  
21 *That these restrictions shall not apply to contracts which*  
22 *are in being as of the date of the enactment of this Act.*

23       *SEC. 8025. For the purposes of this Act, the term “con-*  
24 *gressional defense committees” means the Armed Services*  
25 *Committee of the House of Representatives, the Armed Serv-*

1 ices Committee of the Senate, the Subcommittee on Defense  
2 of the Committee on Appropriations of the Senate, and the  
3 Subcommittee on Defense of the Committee on Appropria-  
4 tions of the House of Representatives.

5       SEC. 8026. During the current fiscal year, the Depart-  
6 ment of Defense may acquire the modification, depot main-  
7 tenance and repair of aircraft, vehicles and vessels as well  
8 as the production of components and other Defense-related  
9 articles, through competition between Department of De-  
10 fense depot maintenance activities and private firms: Pro-  
11 vided, That the Senior Acquisition Executive of the military  
12 department or Defense Agency concerned, with power of del-  
13 egation, shall certify that successful bids include comparable  
14 estimates of all direct and indirect costs for both public and  
15 private bids: Provided further, That Office of Management  
16 and Budget Circular A-76 shall not apply to competitions  
17 conducted under this section.

18       SEC. 8027. (a)(1) If the Secretary of Defense, after con-  
19 sultation with the United States Trade Representative, de-  
20 termines that a foreign country which is party to an agree-  
21 ment described in paragraph (2) has violated the terms of  
22 the agreement by discriminating against certain types of  
23 products produced in the United States that are covered by  
24 the agreement, the Secretary of Defense shall rescind the  
25 Secretary's blanket waiver of the Buy American Act with

1 *respect to such types of products produced in that foreign*  
2 *country.*

3       (2) *An agreement referred to in paragraph (1) is any*  
4 *reciprocal defense procurement memorandum of under-*  
5 *standing, between the United States and a foreign country*  
6 *pursuant to which the Secretary of Defense has prospec-*  
7 *tively waived the Buy American Act for certain products*  
8 *in that country.*

9       (b) *The Secretary of Defense shall submit to the Con-*  
10 *gress a report on the amount of Department of Defense pur-*  
11 *chases from foreign entities in fiscal year 2013. Such report*  
12 *shall separately indicate the dollar value of items for which*  
13 *the Buy American Act was waived pursuant to any agree-*  
14 *ment described in subsection (a)(2), the Trade Agreement*  
15 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*  
16 *agreement to which the United States is a party.*

17       (c) *For purposes of this section, the term “Buy Amer-*  
18 *ican Act” means chapter 83 of title 41, United States Code.*

19       SEC. 8028. *During the current fiscal year, amounts*  
20 *contained in the Department of Defense Overseas Military*  
21 *Facility Investment Recovery Account established by section*  
22 *2921(c)(1) of the National Defense Authorization Act of*  
23 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*  
24 *available until expended for the payments specified by sec-*  
25 *tion 2921(c)(2) of that Act.*

1        *SEC. 8029. (a) Notwithstanding any other provision*  
2 *of law, the Secretary of the Air Force may convey at no*  
3 *cost to the Air Force, without consideration, to Indian*  
4 *tribes located in the States of Nevada, Idaho, North Dakota,*  
5 *South Dakota, Montana, Oregon, Minnesota, and Wash-*  
6 *ington relocatable military housing units located at Grand*  
7 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*  
8 *tain Home Air Force Base, Ellsworth Air Force Base, and*  
9 *Minot Air Force Base that are excess to the needs of the*  
10 *Air Force.*

11        *(b) The Secretary of the Air Force shall convey, at no*  
12 *cost to the Air Force, military housing units under sub-*  
13 *section (a) in accordance with the request for such units*  
14 *that are submitted to the Secretary by the Operation Walk-*  
15 *ing Shield Program on behalf of Indian tribes located in*  
16 *the States of Nevada, Idaho, North Dakota, South Dakota,*  
17 *Montana, Oregon, Minnesota, and Washington. Any such*  
18 *conveyance shall be subject to the condition that the housing*  
19 *units shall be removed within a reasonable period of time,*  
20 *as determined by the Secretary.*

21        *(c) The Operation Walking Shield Program shall re-*  
22 *solve any conflicts among requests of Indian tribes for hous-*  
23 *ing units under subsection (a) before submitting requests*  
24 *to the Secretary of the Air Force under subsection (b).*



1       (d) *In this section, the term “Indian tribe” means any*  
2 *recognized Indian tribe included on the current list pub-*  
3 *lished by the Secretary of the Interior under section 104*  
4 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*  
5 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).*

6       SEC. 8030. *During the current fiscal year, appropria-*  
7 *tions which are available to the Department of Defense for*  
8 *operation and maintenance may be used to purchase items*  
9 *having an investment item unit cost of not more than*  
10 *\$250,000.*

11       SEC. 8031. (a) *During the current fiscal year, none*  
12 *of the appropriations or funds available to the Department*  
13 *of Defense Working Capital Funds shall be used for the pur-*  
14 *chase of an investment item for the purpose of acquiring*  
15 *a new inventory item for sale or anticipated sale during*  
16 *the current fiscal year or a subsequent fiscal year to cus-*  
17 *tomers of the Department of Defense Working Capital*  
18 *Funds if such an item would not have been chargeable to*  
19 *the Department of Defense Business Operations Fund dur-*  
20 *ing fiscal year 1994 and if the purchase of such an invest-*  
21 *ment item would be chargeable during the current fiscal*  
22 *year to appropriations made to the Department of Defense*  
23 *for procurement.*

24       (b) *The fiscal year 2014 budget request for the Depart-*  
25 *ment of Defense as well as all justification material and*

1 *other documentation supporting the fiscal year 2014 De-*  
2 *partment of Defense budget shall be prepared and submitted*  
3 *to the Congress on the basis that any equipment which was*  
4 *classified as an end item and funded in a procurement ap-*  
5 *propriation contained in this Act shall be budgeted for in*  
6 *a proposed fiscal year 2014 procurement appropriation and*  
7 *not in the supply management business area or any other*  
8 *area or category of the Department of Defense Working*  
9 *Capital Funds.*

10       *SEC. 8032. None of the funds appropriated by this Act*  
11 *for programs of the Central Intelligence Agency shall re-*  
12 *main available for obligation beyond the current fiscal year,*  
13 *except for funds appropriated for the Reserve for Contin-*  
14 *gencies, which shall remain available until September 30,*  
15 *2014: Provided, That funds appropriated, transferred, or*  
16 *otherwise credited to the Central Intelligence Agency Cen-*  
17 *tral Services Working Capital Fund during this or any*  
18 *prior or subsequent fiscal year shall remain available until*  
19 *expended: Provided further, That any funds appropriated*  
20 *or transferred to the Central Intelligence Agency for ad-*  
21 *vanced research and development acquisition, for agent op-*  
22 *erations, and for covert action programs authorized by the*  
23 *President under section 503 of the National Security Act*  
24 *of 1947, as amended, shall remain available until Sep-*  
25 *tember 30, 2014.*

1        *SEC. 8033. Notwithstanding any other provision of*  
2 *law, funds made available in this Act for the Defense Intel-*  
3 *ligence Agency may be used for the design, development, and*  
4 *deployment of General Defense Intelligence Program intel-*  
5 *ligence communications and intelligence information sys-*  
6 *tems for the Services, the Unified and Specified Commands,*  
7 *and the component commands.*

8        *SEC. 8034. Of the funds appropriated to the Depart-*  
9 *ment of Defense under the heading “Operation and Mainte-*  
10 *nance, Defense-Wide”, not less than \$12,000,000 shall be*  
11 *made available only for the mitigation of environmental*  
12 *impacts, including training and technical assistance to*  
13 *tribes, related administrative support, the gathering of in-*  
14 *formation, documenting of environmental damage, and de-*  
15 *veloping a system for prioritization of mitigation and cost*  
16 *to complete estimates for mitigation, on Indian lands re-*  
17 *sulting from Department of Defense activities.*

18        *SEC. 8035. (a) None of the funds appropriated in this*  
19 *Act may be expended by an entity of the Department of*  
20 *Defense unless the entity, in expending the funds, complies*  
21 *with the Buy American Act. For purposes of this subsection,*  
22 *the term “Buy American Act” means chapter 83 of title*  
23 *41, United States Code.*

24        *(b) If the Secretary of Defense determines that a person*  
25 *has been convicted of intentionally affixing a label bearing*

1 a “Made in America” inscription to any product sold in  
2 or shipped to the United States that is not made in Amer-  
3 ica, the Secretary shall determine, in accordance with sec-  
4 tion 2410f of title 10, United States Code, whether the per-  
5 son should be debarred from contracting with the Depart-  
6 ment of Defense.

7 (c) In the case of any equipment or products purchased  
8 with appropriations provided under this Act, it is the sense  
9 of the Congress that any entity of the Department of De-  
10 fense, in expending the appropriation, purchase only Amer-  
11 ican-made equipment and products, provided that Amer-  
12 ican-made equipment and products are cost-competitive,  
13 quality competitive, and available in a timely fashion.

14 SEC. 8036. None of the funds appropriated by this Act  
15 shall be available for a contract for studies, analysis, or  
16 consulting services entered into without competition on the  
17 basis of an unsolicited proposal unless the head of the activ-  
18 ity responsible for the procurement determines—

19 (1) as a result of thorough technical evaluation,  
20 only one source is found fully qualified to perform the  
21 proposed work;

22 (2) the purpose of the contract is to explore an  
23 unsolicited proposal which offers significant scientific  
24 or technological promise, represents the product of

1       *original thinking, and was submitted in confidence*  
2       *by one source; or*

3               *(3) the purpose of the contract is to take advan-*  
4       *tage of unique and significant industrial accomplish-*  
5       *ment by a specific concern, or to insure that a new*  
6       *product or idea of a specific concern is given finan-*  
7       *cial support: Provided, That this limitation shall not*  
8       *apply to contracts in an amount of less than \$25,000,*  
9       *contracts related to improvements of equipment that*  
10       *is in development or production, or contracts as to*  
11       *which a civilian official of the Department of Defense,*  
12       *who has been confirmed by the Senate, determines*  
13       *that the award of such contract is in the interest of*  
14       *the national defense.*

15       *SEC. 8037. (a) Except as provided in subsections (b)*  
16       *and (c), none of the funds made available by this Act may*  
17       *be used—*

18               *(1) to establish a field operating agency; or*

19               *(2) to pay the basic pay of a member of the*  
20       *Armed Forces or civilian employee of the department*  
21       *who is transferred or reassigned from a headquarters*  
22       *activity if the member or employee's place of duty re-*  
23       *mains at the location of that headquarters.*

24       *(b) The Secretary of Defense or Secretary of a military*  
25       *department may waive the limitations in subsection (a),*

1 *on a case-by-case basis, if the Secretary determines, and cer-*  
2 *tifies to the Committees on Appropriations of the House of*  
3 *Representatives and Senate that the granting of the waiver*  
4 *will reduce the personnel requirements or the financial re-*  
5 *quirements of the department.*

6 *(c) This section does not apply to—*

7 *(1) field operating agencies funded within the*  
8 *National Intelligence Program;*

9 *(2) an Army field operating agency established*  
10 *to eliminate, mitigate, or counter the effects of impro-*  
11 *vised explosive devices, and, as determined by the Sec-*  
12 *retary of the Army, other similar threats; or*

13 *(3) an Army field operating agency established*  
14 *to improve the effectiveness and efficiencies of biomet-*  
15 *ric activities and to integrate common biometric tech-*  
16 *nologies throughout the Department of Defense.*

17 *SEC. 8038. None of the funds made available in this*  
18 *Act may be used to approve or license the sale of the F–*  
19 *22A advanced tactical fighter to any foreign government:*  
20 *Provided, That the Department of Defense may conduct or*  
21 *participate in studies, research, design and other activities*  
22 *to define and develop a future export version of the F–22A*  
23 *that protects classified and sensitive information, tech-*  
24 *nologies and U.S. warfighting capabilities.*

1        *SEC. 8039. (a) None of the funds appropriated by this*  
2 *Act shall be available to convert to contractor performance*  
3 *an activity or function of the Department of Defense that,*  
4 *on or after the date of the enactment of this Act, is per-*  
5 *formed by Department of Defense civilian employees un-*  
6 *less—*

7            *(1) the conversion is based on the result of a pub-*  
8 *lic-private competition that includes a most efficient*  
9 *and cost effective organization plan developed by such*  
10 *activity or function;*

11           *(2) the Competitive Sourcing Official determines*  
12 *that, over all performance periods stated in the solici-*  
13 *tation of offers for performance of the activity or*  
14 *function, the cost of performance of the activity or*  
15 *function by a contractor would be less costly to the*  
16 *Department of Defense by an amount that equals or*  
17 *exceeds the lesser of—*

18            *(A) 10 percent of the most efficient organi-*  
19 *zation's personnel-related costs for performance*  
20 *of that activity or function by Federal employ-*  
21 *ees; or*

22            *(B) \$10,000,000; and*

23           *(3) the contractor does not receive an advantage*  
24 *for a proposal that would reduce costs for the Depart-*  
25 *ment of Defense by—*

1           (A) not making an employer-sponsored  
2           health insurance plan available to the workers  
3           who are to be employed in the performance of  
4           that activity or function under the contract; or

5           (B) offering to such workers an employer-  
6           sponsored health benefits plan that requires the  
7           employer to contribute less towards the premium  
8           or subscription share than the amount that is  
9           paid by the Department of Defense for health  
10          benefits for civilian employees under chapter 89  
11          of title 5, United States Code.

12       (b)(1) The Department of Defense, without regard to  
13       subsection (a) of this section or subsection (a), (b), or (c)  
14       of section 2461 of title 10, United States Code, and notwith-  
15       standing any administrative regulation, requirement, or  
16       policy to the contrary shall have full authority to enter into  
17       a contract for the performance of any commercial or indus-  
18       trial type function of the Department of Defense that—

19           (A) is included on the procurement list estab-  
20           lished pursuant to section 2 of the Javits-Wagner-  
21           O'Day Act (section 8503 of title 41, United States  
22           Code);

23           (B) is planned to be converted to performance by  
24           a qualified nonprofit agency for the blind or by a



10           (2) *This section shall not apply to depot contracts or*  
11 *contracts for depot maintenance as provided in sections*  
12 *2469 and 2474 of title 10, United States Code.*

22 (RESCISSIONS)

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1 *hereby rescinded from the following accounts and programs*  
2 *in the specified amounts:*

3           *“Shipbuilding and Conversion, Navy, 2007/*  
4           *2018”: DDG–51 Destroyer, \$98,400,000;*

5           *“Shipbuilding and Conversion, Navy, 2007/*  
6           *2018”: DDG–51 Destroyer Advance Procurement,*  
7           *\$2,500,000;*

8           *“Shipbuilding and Conversion, Navy, 2007/*  
9           *2018”: CVN Refueling Overhaul, \$14,100,000;*

10           *“Procurement of Ammunition, Army, 2011/*  
11           *2013”, \$14,862,000;*

12           *“Other Procurement, Army, 2011/2013”,*  
13           *\$108,098,000;*

14           *“Aircraft Procurement, Navy, 2011/2013”,*  
15           *\$43,860,000;*

16           *“Shipbuilding and Conversion, Navy, 2011/*  
17           *2015”: DDG–51 Destroyer, \$215,300,000;*

18           *“Weapons Procurement, Navy, 2011/2013”,*  
19           *\$22,000,000;*

20           *“Aircraft Procurement, Air Force, 2011/2013”,*  
21           *\$93,400,000;*

22           *“Other Procurement, Air Force, 2011/2013”,*  
23           *\$9,500,000;*

24           *“Operation and Maintenance, Defense-Wide,*  
25           *2012/XXXX”, \$21,000,000;*

1           *“Aircraft Procurement, Army, 2012/2014”,*  
2           \$47,400,000;

3           *“Other Procurement, Army, 2012/2014”,*  
4           \$179,608,000;

5           *“Aircraft Procurement, Navy, 2012/2014”,*  
6           \$19,040,000;

7           *“Shipbuilding and Conversion, Navy, 2012/*  
8           *2016”: Littoral Combat Ship, \$28,800,000;*

9           *“Shipbuilding and Conversion, Navy, 2012/*  
10          *2016”: DDG–51 Destroyer, \$83,000,000;*

11          *“Weapons Procurement, Navy, 2012/2014”,*  
12          \$36,467,000;

13          *“Procurement of Ammunition, Navy and Marine*  
14          *Corps, 2012/2014”, \$16,300,000;*

15          *“Procurement, Marine Corps, 2012/2014”,*  
16          \$132,555,000;

17          *“Aircraft Procurement, Air Force, 2012/2014”,*  
18          \$394,299,000;

19          *“Missile Procurement, Air Force, 2012/2014”,*  
20          \$52,898,000;

21          *“Other Procurement, Air Force, 2012/2014”,*  
22          \$55,800,000;

23          *“Procurement, Defense-Wide, 2012/2014”,*  
24          \$16,000,000;

1           *“Research, Development, Test and Evaluation,*  
2           *Army, 2012/2013”, \$41,000,000;*

3           *“Research, Development, Test and Evaluation,*  
4           *Navy, 2012/2013”, \$246,800,000;*

5           *“Research, Development, Test and Evaluation,*  
6           *Air Force, 2012/2013”, \$149,460,000.*

7           *SEC. 8041. None of the funds available in this Act may*  
8           *be used to reduce the authorized positions for military tech-*  
9           *nicians (dual status) of the Army National Guard, Air Na-*  
10          *tional Guard, Army Reserve and Air Force Reserve for the*  
11          *purpose of applying any administratively imposed civilian*  
12          *personnel ceiling, freeze, or reduction on military techni-*  
13          *cians (dual status), unless such reductions are a direct re-*  
14          *sult of a reduction in military force structure.*

15          *SEC. 8042. None of the funds appropriated or other-*  
16          *wise made available in this Act may be obligated or ex-*  
17          *pended for assistance to the Democratic People’s Republic*  
18          *of Korea unless specifically appropriated for that purpose.*

19          *SEC. 8043. Funds appropriated in this Act for oper-*  
20          *ation and maintenance of the Military Departments, Com-*  
21          *batant Commands and Defense Agencies shall be available*  
22          *for reimbursement of pay, allowances and other expenses*  
23          *which would otherwise be incurred against appropriations*  
24          *for the National Guard and Reserve when members of the*  
25          *National Guard and Reserve provide intelligence or coun-*

1 *terintelligence support to Combatant Commands, Defense*  
2 *Agencies and Joint Intelligence Activities, including the ac-*  
3 *tivities and programs included within the National Intel-*  
4 *ligence Program and the Military Intelligence Program:*  
5 *Provided, That nothing in this section authorizes deviation*  
6 *from established Reserve and National Guard personnel and*  
7 *training procedures.*

8       *SEC. 8044. During the current fiscal year, none of the*  
9 *funds appropriated in this Act may be used to reduce the*  
10 *civilian medical and medical support personnel assigned to*  
11 *military treatment facilities below the September 30, 2003,*  
12 *level: Provided, That the Service Surgeons General may*  
13 *waive this section by certifying to the congressional defense*  
14 *committees that the beneficiary population is declining in*  
15 *some catchment areas and civilian strength reductions may*  
16 *be consistent with responsible resource stewardship and*  
17 *capitation-based budgeting.*

18       *SEC. 8045. (a) None of the funds available to the De-*  
19 *partment of Defense for any fiscal year for drug interdic-*  
20 *tion or counter-drug activities may be transferred to any*  
21 *other department or agency of the United States except as*  
22 *specifically provided in an appropriations law.*

23       *(b) None of the funds available to the Central Intel-*  
24 *ligence Agency for any fiscal year for drug interdiction and*  
25 *counter-drug activities may be transferred to any other de-*

1 partment or agency of the United States except as specifi-  
2 cally provided in an appropriations law.

3       SEC. 8046. None of the funds appropriated by this Act  
4 may be used for the procurement of ball and roller bearings  
5 other than those produced by a domestic source and of do-  
6 mestic origin: Provided, That the Secretary of the military  
7 department responsible for such procurement may waive  
8 this restriction on a case-by-case basis by certifying in writ-  
9 ing to the Committees on Appropriations of the House of  
10 Representatives and the Senate, that adequate domestic  
11 supplies are not available to meet Department of Defense  
12 requirements on a timely basis and that such an acquisition  
13 must be made in order to acquire capability for national  
14 security purposes: Provided further, That this restriction  
15 shall not apply to the purchase of “commercial items”, as  
16 defined by section 4(12) of the Office of Federal Procure-  
17 ment Policy Act, except that the restriction shall apply to  
18 ball or roller bearings purchased as end items.

19       SEC. 8047. None of the funds in this Act may be used  
20 to purchase any supercomputer which is not manufactured  
21 in the United States, unless the Secretary of Defense cer-  
22 tifies to the congressional defense committees that such an  
23 acquisition must be made in order to acquire capability for  
24 national security purposes that is not available from  
25 United States manufacturers.

1       *SEC. 8048. None of the funds made available in this*  
2       *or any other Act may be used to pay the salary of any*  
3       *officer or employee of the Department of Defense who ap-*  
4       *proves or implements the transfer of administrative respon-*  
5       *sibilities or budgetary resources of any program, project,*  
6       *or activity financed by this Act to the jurisdiction of an-*  
7       *other Federal agency not financed by this Act without the*  
8       *express authorization of Congress: Provided, That this limi-*  
9       *tation shall not apply to transfers of funds expressly pro-*  
10      *vided for in Defense Appropriations Acts, or provisions of*  
11      *Acts providing supplemental appropriations for the De-*  
12      *partment of Defense.*

13      *SEC. 8049. (a) Notwithstanding any other provision*  
14      *of law, none of the funds available to the Department of*  
15      *Defense for the current fiscal year may be obligated or ex-*  
16      *pended to transfer to another nation or an international*  
17      *organization any defense articles or services (other than in-*  
18      *telligence services) for use in the activities described in sub-*  
19      *section (b) unless the congressional defense committees, the*  
20      *Committee on Foreign Affairs of the House of Representa-*  
21      *tives, and the Committee on Foreign Relations of the Senate*  
22      *are notified 15 days in advance of such transfer.*

23      *(b) This section applies to—*

24                *(1) any international peacekeeping or peace-en-*  
25      *forcement operation under the authority of chapter VI*

1        *or chapter VII of the United Nations Charter under*  
2        *the authority of a United Nations Security Council*  
3        *resolution; and*

4            *(2) any other international peacekeeping, peace-*  
5        *enforcement, or humanitarian assistance operation.*

6        *(c) A notice under subsection (a) shall include the fol-*  
7        *lowing:*

8            *(1) A description of the equipment, supplies, or*  
9        *services to be transferred.*

10          *(2) A statement of the value of the equipment,*  
11        *supplies, or services to be transferred.*

12          *(3) In the case of a proposed transfer of equip-*  
13        *ment or supplies—*

14            *(A) a statement of whether the inventory re-*  
15            *quirements of all elements of the Armed Forces*  
16            *(including the reserve components) for the type*  
17            *of equipment or supplies to be transferred have*  
18            *been met; and*

19            *(B) a statement of whether the items pro-*  
20            *posed to be transferred will have to be replaced*  
21            *and, if so, how the President proposes to provide*  
22            *funds for such replacement.*

23        *SEC. 8050. None of the funds available to the Depart-*  
24        *ment of Defense under this Act shall be obligated or ex-*  
25        *pended to pay a contractor under a contract with the De-*



1 *partment of Defense for costs of any amount paid by the*  
2 *contractor to an employee when—*

3 *(1) such costs are for a bonus or otherwise in ex-*  
4 *cess of the normal salary paid by the contractor to the*  
5 *employee; and*

6 *(2) such bonus is part of restructuring costs asso-*  
7 *ciated with a business combination.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 8051. During the current fiscal year, no more*  
10 *than \$30,000,000 of appropriations made in this Act under*  
11 *the heading “Operation and Maintenance, Defense-Wide”*  
12 *may be transferred to appropriations available for the pay*  
13 *of military personnel, to be merged with, and to be available*  
14 *for the same time period as the appropriations to which*  
15 *transferred, to be used in support of such personnel in con-*  
16 *nection with support and services for eligible organizations*  
17 *and activities outside the Department of Defense pursuant*  
18 *to section 2012 of title 10, United States Code.*

19 *SEC. 8052. During the current fiscal year, in the case*  
20 *of an appropriation account of the Department of Defense*  
21 *for which the period of availability for obligation has ex-*  
22 *pired or which has closed under the provisions of section*  
23 *1552 of title 31, United States Code, and which has a nega-*  
24 *tive unliquidated or unexpended balance, an obligation or*  
25 *an adjustment of an obligation may be charged to any cur-*

1 *rent appropriation account for the same purpose as the ex-*  
2 *pired or closed account if—*

3 *(1) the obligation would have been properly*  
4 *chargeable (except as to amount) to the expired or*  
5 *closed account before the end of the period of avail-*  
6 *ability or closing of that account;*

7 *(2) the obligation is not otherwise properly*  
8 *chargeable to any current appropriation account of*  
9 *the Department of Defense; and*

10 *(3) in the case of an expired account, the obliga-*  
11 *tion is not chargeable to a current appropriation of*  
12 *the Department of Defense under the provisions of sec-*  
13 *tion 1405(b)(8) of the National Defense Authorization*  
14 *Act for Fiscal Year 1991, Public Law 101–510, as*  
15 *amended (31 U.S.C. 1551 note): Provided, That in*  
16 *the case of an expired account, if subsequent review*  
17 *or investigation discloses that there was not in fact a*  
18 *negative unliquidated or unexpended balance in the*  
19 *account, any charge to a current account under the*  
20 *authority of this section shall be reversed and re-*  
21 *corded against the expired account: Provided further,*  
22 *That the total amount charged to a current appro-*  
23 *priation under this section may not exceed an*  
24 *amount equal to 1 percent of the total appropriation*  
25 *for that account.*

1        *SEC. 8053. (a) Notwithstanding any other provision*  
2 *of law, the Chief of the National Guard Bureau may permit*  
3 *the use of equipment of the National Guard Distance Learn-*  
4 *ing Project by any person or entity on a space-available,*  
5 *reimbursable basis. The Chief of the National Guard Bu-*  
6 *reau shall establish the amount of reimbursement for such*  
7 *use on a case-by-case basis.*

8        *(b) Amounts collected under subsection (a) shall be*  
9 *credited to funds available for the National Guard Distance*  
10 *Learning Project and be available to defray the costs associ-*  
11 *ated with the use of equipment of the project under that*  
12 *subsection. Such funds shall be available for such purposes*  
13 *without fiscal year limitation.*

14        *SEC. 8054. Using funds made available by this Act*  
15 *or any other Act, the Secretary of the Air Force, pursuant*  
16 *to a determination under section 2690 of title 10, United*  
17 *States Code, may implement cost-effective agreements for*  
18 *required heating facility modernization in the*  
19 *Kaiserslautern Military Community in the Federal Repub-*  
20 *lic of Germany: Provided, That in the City of*  
21 *Kaiserslautern and at the Rhine Ordnance Barracks area,*  
22 *such agreements will include the use of United States an-*  
23 *thracite as the base load energy for municipal district heat*  
24 *to the United States Defense installations: Provided further,*  
25 *That at Landstuhl Army Regional Medical Center and*

1 *Ramstein Air Base, furnished heat may be obtained from*  
2 *private, regional or municipal services, if provisions are in-*  
3 *cluded for the consideration of United States coal as an en-*  
4 *ergy source.*

5 *SEC. 8055. None of the funds appropriated in title IV*  
6 *of this Act may be used to procure end-items for delivery*  
7 *to military forces for operational training, operational use*  
8 *or inventory requirements: Provided, That this restriction*  
9 *does not apply to end-items used in development, proto-*  
10 *typing, and test activities preceding and leading to accept-*  
11 *ance for operational use: Provided further, That this restric-*  
12 *tion does not apply to programs funded within the National*  
13 *Intelligence Program: Provided further, That the Secretary*  
14 *of Defense may waive this restriction on a case-by-case basis*  
15 *by certifying in writing to the Committees on Appropria-*  
16 *tions of the House of Representatives and the Senate that*  
17 *it is in the national security interest to do so.*

18 *SEC. 8056. (a) The Secretary of Defense may, on a*  
19 *case-by-case basis, waive with respect to a foreign country*  
20 *each limitation on the procurement of defense items from*  
21 *foreign sources provided in law if the Secretary determines*  
22 *that the application of the limitation with respect to that*  
23 *country would invalidate cooperative programs entered into*  
24 *between the Department of Defense and the foreign country,*  
25 *or would invalidate reciprocal trade agreements for the pro-*

1 *curement of defense items entered into under section 2531*  
2 *of title 10, United States Code, and the country does not*  
3 *discriminate against the same or similar defense items pro-*  
4 *duced in the United States for that country.*

5 *(b) Subsection (a) applies with respect to—*

6 *(1) contracts and subcontracts entered into on or*  
7 *after the date of the enactment of this Act; and*

8 *(2) options for the procurement of items that are*  
9 *exercised after such date under contracts that are en-*  
10 *tered into before such date if the option prices are ad-*  
11 *justed for any reason other than the application of a*  
12 *waiver granted under subsection (a).*

13 *(c) Subsection (a) does not apply to a limitation re-*  
14 *garding construction of public vessels, ball and roller bear-*  
15 *ings, food, and clothing or textile materials as defined by*  
16 *section 11 (chapters 50–65) of the Harmonized Tariff*  
17 *Schedule and products classified under headings 4010,*  
18 *4202, 4203, 6401 through 6406, 6505, 7019, 7218 through*  
19 *7229, 7304.41 through 7304.49, 7306.40, 7502 through*  
20 *7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

21 *SEC. 8057. (a) None of the funds made available by*  
22 *this Act may be used to support any training program in-*  
23 *volving a unit of the security forces or police of a foreign*  
24 *country if the Secretary of Defense has received credible in-*  
25 *formation from the Department of State that the unit has*

1 committed a gross violation of human rights, unless all nec-  
2 essary corrective steps have been taken.

3 (b) The Secretary of Defense, in consultation with the  
4 Secretary of State, shall ensure that prior to a decision to  
5 conduct any training program referred to in subsection (a),  
6 full consideration is given to all credible information avail-  
7 able to the Department of State relating to human rights  
8 violations by foreign security forces.

9 (c) The Secretary of Defense, after consultation with  
10 the Secretary of State, may waive the prohibition in sub-  
11 section (a) if he determines that such waiver is required  
12 by extraordinary circumstances.

13 (d) Not more than 15 days after the exercise of any  
14 waiver under subsection (c), the Secretary of Defense shall  
15 submit a report to the congressional defense committees de-  
16 scribing the extraordinary circumstances, the purpose and  
17 duration of the training program, the United States forces  
18 and the foreign security forces involved in the training pro-  
19 gram, and the information relating to human rights viola-  
20 tions that necessitates the waiver.

21 SEC. 8058. None of the funds appropriated or other-  
22 wise made available by this or other Department of Defense  
23 Appropriations Acts may be obligated or expended for the  
24 purpose of performing repairs or maintenance to military  
25 family housing units of the Department of Defense, includ-

1 *ing areas in such military family housing units that may*  
2 *be used for the purpose of conducting official Department*  
3 *of Defense business.*

4       *SEC. 8059. Notwithstanding any other provision of*  
5 *law, funds appropriated in this Act under the heading “Re-*  
6 *search, Development, Test and Evaluation, Defense-Wide”*  
7 *for any new start advanced concept technology demonstra-*  
8 *tion project or joint capability demonstration project may*  
9 *only be obligated 45 days after a report, including a de-*  
10 *scription of the project, the planned acquisition and transi-*  
11 *tion strategy and its estimated annual and total cost, has*  
12 *been provided in writing to the congressional defense com-*  
13 *mittees: Provided, That the Secretary of Defense may waive*  
14 *this restriction on a case-by-case basis by certifying to the*  
15 *congressional defense committees that it is in the national*  
16 *interest to do so.*

17       *SEC. 8060. The Secretary of Defense shall provide a*  
18 *classified quarterly report beginning 30 days after enact-*  
19 *ment of this Act, to the House and Senate Appropriations*  
20 *Committees, Subcommittees on Defense on certain matters*  
21 *as directed in the classified annex accompanying this Act.*

22       *SEC. 8061. During the current fiscal year, none of the*  
23 *funds available to the Department of Defense may be used*  
24 *to provide support to another department or agency of the*  
25 *United States if such department or agency is more than*

1 90 days in arrears in making payment to the Department  
 2 of Defense for goods or services previously provided to such  
 3 department or agency on a reimbursable basis: Provided,  
 4 That this restriction shall not apply if the department is  
 5 authorized by law to provide support to such department  
 6 or agency on a nonreimbursable basis, and is providing the  
 7 requested support pursuant to such authority: Provided fur-  
 8 ther, That the Secretary of Defense may waive this restric-  
 9 tion on a case-by-case basis by certifying in writing to the  
 10 Committees on Appropriations of the House of Representa-  
 11 tives and the Senate that it is in the national security inter-  
 12 est to do so.

13       SEC. 8062. Notwithstanding section 12310(b) of title  
 14 10, United States Code, a Reserve who is a member of the  
 15 National Guard serving on full-time National Guard duty  
 16 under section 502(f) of title 32, United States Code, may  
 17 perform duties in support of the ground-based elements of  
 18 the National Ballistic Missile Defense System.

19       SEC. 8063. None of the funds provided in this Act may  
 20 be used to transfer to any nongovernmental entity ammuni-  
 21 tion held by the Department of Defense that has a center-  
 22 fire cartridge and a United States military nomenclature  
 23 designation of “armor penetrator”, “armor piercing (AP)”,  
 24 “armor piercing incendiary (API)”, or “armor-piercing in-  
 25 cendiary tracer (API-T)”, except to an entity performing



1 *demilitarization services for the Department of Defense*  
2 *under a contract that requires the entity to demonstrate to*  
3 *the satisfaction of the Department of Defense that armor*  
4 *piercing projectiles are either: (1) rendered incapable of*  
5 *reuse by the demilitarization process; or (2) used to manu-*  
6 *facture ammunition pursuant to a contract with the De-*  
7 *partment of Defense or the manufacture of ammunition for*  
8 *export pursuant to a License for Permanent Export of Un-*  
9 *classified Military Articles issued by the Department of*  
10 *State.*

11       *SEC. 8064. Notwithstanding any other provision of*  
12 *law, the Chief of the National Guard Bureau, or his des-*  
13 *ignee, may waive payment of all or part of the consider-*  
14 *ation that otherwise would be required under section 2667*  
15 *of title 10, United States Code, in the case of a lease of*  
16 *personal property for a period not in excess of 1 year to*  
17 *any organization specified in section 508(d) of title 32,*  
18 *United States Code, or any other youth, social, or fraternal*  
19 *nonprofit organization as may be approved by the Chief*  
20 *of the National Guard Bureau, or his designee, on a case-*  
21 *by-case basis.*

22       *SEC. 8065. None of the funds appropriated by this Act*  
23 *shall be used for the support of any nonappropriated funds*  
24 *activity of the Department of Defense that procures malt*  
25 *beverages and wine with nonappropriated funds for resale*

1 *(including such alcoholic beverages sold by the drink) on*  
2 *a military installation located in the United States unless*  
3 *such malt beverages and wine are procured within that*  
4 *State, or in the case of the District of Columbia, within*  
5 *the District of Columbia, in which the military installation*  
6 *is located: Provided, That in a case in which the military*  
7 *installation is located in more than one State, purchases*  
8 *may be made in any State in which the installation is lo-*  
9 *cated: Provided further, That such local procurement re-*  
10 *quirements for malt beverages and wine shall apply to all*  
11 *alcoholic beverages only for military installations in States*  
12 *which are not contiguous with another State: Provided fur-*  
13 *ther, That alcoholic beverages other than wine and malt bev-*  
14 *erages, in contiguous States and the District of Columbia*  
15 *shall be procured from the most competitive source, price*  
16 *and other factors considered.*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 8066. Of the amounts appropriated in this Act*  
19 *under the heading “Operation and Maintenance, Army”,*  
20 *\$133,381,000 shall remain available until expended: Pro-*  
21 *vided, That notwithstanding any other provision of law, the*  
22 *Secretary of Defense is authorized to transfer such funds*  
23 *to other activities of the Federal Government: Provided fur-*  
24 *ther, That the Secretary of Defense is authorized to enter*  
25 *into and carry out contracts for the acquisition of real*

1 *property, construction, personal services, and operations re-*  
2 *lated to projects carrying out the purposes of this section:*  
3 *Provided further, That contracts entered into under the au-*  
4 *thority of this section may provide for such indemnification*  
5 *as the Secretary determines to be necessary: Provided fur-*  
6 *ther, That projects authorized by this section shall comply*  
7 *with applicable Federal, State, and local law to the max-*  
8 *imum extent consistent with the national security, as deter-*  
9 *mined by the Secretary of Defense.*

10 *SEC. 8067. Section 8106 of the Department of Defense*  
11 *Appropriations Act, 1997 (titles I through VIII of the mat-*  
12 *ter under subsection 101(b) of Public Law 104–208; 110*  
13 *Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect*  
14 *to apply to disbursements that are made by the Department*  
15 *of Defense in fiscal year 2013.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 8068. During the current fiscal year, not to ex-*  
18 *ceed \$200,000,000 from funds available under “Operation*  
19 *and Maintenance, Defense-Wide” may be transferred to the*  
20 *Department of State “Global Security Contingency Fund”:*  
21 *Provided, That this transfer authority is in addition to any*  
22 *other transfer authority available to the Department of De-*  
23 *fense: Provided further, That the Secretary of Defense shall,*  
24 *not fewer than 30 days prior to making transfers to the*  
25 *Department of State “Global Security Contingency Fund”,*

1 *notify the congressional defense committees in writing with*  
2 *the source of funds and a detailed justification, execution*  
3 *plan, and timeline for each proposed project.*

4       *SEC. 8069. In addition to amounts provided elsewhere*  
5 *in this Act, \$4,000,000 is hereby appropriated to the De-*  
6 *partment of Defense, to remain available for obligation*  
7 *until expended: Provided, That notwithstanding any other*  
8 *provision of law, that upon the determination of the Sec-*  
9 *retary of Defense that it shall serve the national interest,*  
10 *these funds shall be available only for a grant to the Fisher*  
11 *House Foundation, Inc., only for the construction and fur-*  
12 *nishing of additional Fisher Houses to meet the needs of*  
13 *military family members when confronted with the illness*  
14 *or hospitalization of an eligible military beneficiary.*

15                   *(INCLUDING TRANSFER OF FUNDS)*

16       *SEC. 8070. Of the amounts appropriated in this Act*  
17 *under the headings “Procurement, Defense-Wide” and “Re-*  
18 *search, Development, Test and Evaluation, Defense-Wide”,*  
19 *\$479,736,000 shall be for the Israeli Cooperative Programs:*  
20 *Provided, That of this amount, \$211,000,000 shall be for*  
21 *the Secretary of Defense to provide to the Government of*  
22 *Israel for the procurement of the Iron Dome defense system*  
23 *to counter short-range rocket threats, \$149,679,000 shall be*  
24 *for the Short Range Ballistic Missile Defense (SRBMD)*  
25 *program, including cruise missile defense research and de-*

1 velopment under the SRBMD program, of which  
2 \$39,200,000 shall be for production activities of SRBMD  
3 missiles in the United States and in Israel to meet Israel's  
4 defense requirements consistent with each nation's laws,  
5 regulations, and procedures, \$74,692,000 shall be available  
6 for an upper-tier component to the Israeli Missile Defense  
7 Architecture, and \$44,365,000 shall be for the Arrow Sys-  
8 tem Improvement Program including development of a long  
9 range, ground and airborne, detection suite: Provided fur-  
10 ther, That funds made available under this provision for  
11 production of missiles and missile components may be  
12 transferred to appropriations available for the procurement  
13 of weapons and equipment, to be merged with and to be  
14 available for the same time period and the same purposes  
15 as the appropriation to which transferred: Provided further,  
16 That the transfer authority provided under this provision  
17 is in addition to any other transfer authority contained in  
18 this Act.

19 SEC. 8071. (a) None of the funds available to the De-  
20 partment of Defense may be obligated to modify command  
21 and control relationships to give Fleet Forces Command  
22 operational and administrative control of U.S. Navy forces  
23 assigned to the Pacific fleet.

24 (b) None of the funds available to the Department of  
25 Defense may be obligated to modify command and control

1 *relationships to give United States Transportation Com-*  
2 *mand operational and administrative control of C-130 and*  
3 *KC-135 forces assigned to the Pacific and European Air*  
4 *Force Commands.*

5 *(c) The command and control relationships in sub-*  
6 *sections (a) and (b) which existed on March 13, 2011, shall*  
7 *remain in force unless changes are specifically authorized*  
8 *in a subsequent Act.*

9 *(d) This subsection does not apply to administrative*  
10 *control of Navy Air and Missile Defense Command.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 8072. Of the amounts appropriated in this Act*  
13 *under the heading “Shipbuilding and Conversion, Navy”,*  
14 *\$372,573,000 shall be available until September 30, 2013,*  
15 *to fund prior year shipbuilding cost increases: Provided,*  
16 *That upon enactment of this Act, the Secretary of the Navy*  
17 *shall transfer funds to the following appropriations in the*  
18 *amounts specified: Provided further, That the amounts*  
19 *transferred shall be merged with and be available for the*  
20 *same purposes as the appropriations to which transferred*  
21 *to:*

22 *(1) Under the heading “Shipbuilding and Con-*  
23 *version, Navy, 2007/2013”: LHA Replacement Pro-*  
24 *gram \$156,685,000;*

1           (2) Under the heading “Shipbuilding and Con-  
2       version, Navy, 2008/2013”: LPD-17 Amphibious  
3       Transport Dock Program \$80,888,000; and

4           (3) Under the heading “Shipbuilding and Con-  
5       version, Navy, 2009/2013”: CVN Refueling Overhauls  
6       Program \$135,000,000.

7       SEC. 8073. Funds appropriated by this Act, or made  
8       available by the transfer of funds in this Act, for intelligence  
9       activities are deemed to be specifically authorized by the  
10      Congress for purposes of section 504 of the National Secu-  
11      rity Act of 1947 (50 U.S.C. 414) during fiscal year 2013  
12      until the enactment of the Intelligence Authorization Act  
13      for Fiscal Year 2013.

14      SEC. 8074. None of the funds provided in this Act shall  
15      be available for obligation or expenditure through a re-  
16      programming of funds that creates or initiates a new pro-  
17      gram, project, or activity unless such program, project, or  
18      activity must be undertaken immediately in the interest of  
19      national security and only after written prior notification  
20      to the congressional defense committees.

21      SEC. 8075. The budget of the President for fiscal year  
22      2014 submitted to the Congress pursuant to section 1105  
23      of title 31, United States Code, shall include separate budget  
24      justification documents for costs of United States Armed  
25      Forces’ participation in contingency operations for the

1 *Military Personnel accounts, the Operation and Mainte-*  
2 *nance accounts, and the Procurement accounts: Provided,*  
3 *That these documents shall include a description of the*  
4 *funding requested for each contingency operation, for each*  
5 *military service, to include all Active and Reserve compo-*  
6 *nents, and for each appropriations account: Provided fur-*  
7 *ther, That these documents shall include estimated costs for*  
8 *each element of expense or object class, a reconciliation of*  
9 *increases and decreases for each contingency operation, and*  
10 *programmatic data including, but not limited to, troop*  
11 *strength for each Active and Reserve component, and esti-*  
12 *mates of the major weapons systems deployed in support*  
13 *of each contingency: Provided further, That these documents*  
14 *shall include budget exhibits OP-5 and OP-32 (as defined*  
15 *in the Department of Defense Financial Management Regu-*  
16 *lation) for all contingency operations for the budget year*  
17 *and the two preceding fiscal years.*

18       *SEC. 8076. None of the funds in this Act may be used*  
19 *for research, development, test, evaluation, procurement or*  
20 *deployment of nuclear armed interceptors of a missile de-*  
21 *fense system.*

22       *SEC. 8077. In addition to the amounts appropriated*  
23 *or otherwise made available elsewhere in this Act,*  
24 *\$44,000,000 is hereby appropriated to the Department of*  
25 *Defense: Provided, That upon the determination of the Sec-*



1    *retary of Defense that it shall serve the national interest,*  
2    *he shall make grants in the amounts specified as follows:*  
3    *\$20,000,000 to the United Service Organizations and*  
4    *\$24,000,000 to the Red Cross.*

5        *SEC. 8078. None of the funds appropriated or made*  
6    *available in this Act shall be used to reduce or disestablish*  
7    *the operation of the 53rd Weather Reconnaissance Squad-*  
8    *ron of the Air Force Reserve, if such action would reduce*  
9    *the WC-130 Weather Reconnaissance mission below the lev-*  
10   *els funded in this Act: Provided, That the Air Force shall*  
11   *allow the 53rd Weather Reconnaissance Squadron to per-*  
12   *form other missions in support of national defense require-*  
13   *ments during the non-hurricane season.*

14        *SEC. 8079. None of the funds provided in this Act shall*  
15   *be available for integration of foreign intelligence informa-*  
16   *tion unless the information has been lawfully collected and*  
17   *processed during the conduct of authorized foreign intel-*  
18   *ligence activities: Provided, That information pertaining to*  
19   *United States persons shall only be handled in accordance*  
20   *with protections provided in the Fourth Amendment of the*  
21   *United States Constitution as implemented through Execu-*  
22   *tive Order No. 12333.*

23        *SEC. 8080. (a) At the time members of reserve compo-*  
24   *nents of the Armed Forces are called or ordered to active*  
25   *duty under section 12302(a) of title 10, United States Code,*

1 *each member shall be notified in writing of the expected*  
2 *period during which the member will be mobilized.*

3 *(b) The Secretary of Defense may waive the require-*  
4 *ments of subsection (a) in any case in which the Secretary*  
5 *determines that it is necessary to do so to respond to a na-*  
6 *tional security emergency or to meet dire operational re-*  
7 *quirements of the Armed Forces.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 8081. The Secretary of Defense may transfer*  
10 *funds from any available Department of the Navy appro-*  
11 *priation to any available Navy ship construction appro-*  
12 *priation for the purpose of liquidating necessary changes*  
13 *resulting from inflation, market fluctuations, or rate adjust-*  
14 *ments for any ship construction program appropriated in*  
15 *law: Provided, That the Secretary may transfer not to ex-*  
16 *ceed \$100,000,000 under the authority provided by this sec-*  
17 *tion: Provided further, That the Secretary may not transfer*  
18 *any funds until 30 days after the proposed transfer has been*  
19 *reported to the Committees on Appropriations of the House*  
20 *of Representatives and the Senate, unless a response from*  
21 *the Committees is received sooner: Provided further, That*  
22 *any funds transferred pursuant to this section shall retain*  
23 *the same period of availability as when originally appro-*  
24 *priated: Provided further, That the transfer authority pro-*

1 *vided by this section is in addition to any other transfer*  
2 *authority contained elsewhere in this Act.*

3       *SEC. 8082. For purposes of section 7108 of title 41,*  
4 *United States Code, any subdivision of appropriations*  
5 *made under the heading “Shipbuilding and Conversion,*  
6 *Navy” that is not closed at the time reimbursement is made*  
7 *shall be available to reimburse the Judgment Fund and*  
8 *shall be considered for the same purposes as any subdivision*  
9 *under the heading “Shipbuilding and Conversion, Navy”*  
10 *appropriations in the current fiscal year or any prior fiscal*  
11 *year.*

12       *SEC. 8083. (a) None of the funds appropriated by this*  
13 *Act may be used to transfer research and development, ac-*  
14 *quisition, or other program authority relating to current*  
15 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

16       *(b) The Army shall retain responsibility for and oper-*  
17 *ational control of the MQ–1C Gray Eagle Unmanned Aerial*  
18 *Vehicle (UAV) in order to support the Secretary of Defense*  
19 *in matters relating to the employment of unmanned aerial*  
20 *vehicles.*

21       *SEC. 8084. Up to \$15,000,000 of the funds appro-*  
22 *priated under the heading “Operation and Maintenance,*  
23 *Navy” may be made available for the Asia Pacific Regional*  
24 *Initiative Program for the purpose of enabling the Pacific*  
25 *Command to execute Theater Security Cooperation activi-*

1 *ties such as humanitarian assistance, and payment of in-*  
2 *cremental and personnel costs of training and exercising*  
3 *with foreign security forces: Provided, That funds made*  
4 *available for this purpose may be used, notwithstanding*  
5 *any other funding authorities for humanitarian assistance,*  
6 *security assistance or combined exercise expenses: Provided*  
7 *further, That funds may not be obligated to provide assist-*  
8 *ance to any foreign country that is otherwise prohibited*  
9 *from receiving such type of assistance under any other pro-*  
10 *vision of law.*

11 *SEC. 8085. None of the funds appropriated by this Act*  
12 *for programs of the Office of the Director of National Intel-*  
13 *ligence shall remain available for obligation beyond the cur-*  
14 *rent fiscal year, except for funds appropriated for research*  
15 *and technology, which shall remain available until Sep-*  
16 *tember 30, 2014.*

17 *SEC. 8086. For purposes of section 1553(b) of title 31,*  
18 *United States Code, any subdivision of appropriations*  
19 *made in this Act under the heading “Shipbuilding and*  
20 *Conversion, Navy” shall be considered to be for the same*  
21 *purpose as any subdivision under the heading “Ship-*  
22 *building and Conversion, Navy” appropriations in any*  
23 *prior fiscal year, and the 1 percent limitation shall apply*  
24 *to the total amount of the appropriation.*

1        *SEC. 8087. The Director of National Intelligence shall*  
2   *include the budget exhibits identified in paragraphs (1) and*  
3   *(2) as described in the Department of Defense Financial*  
4   *Management Regulation with the congressional budget jus-*  
5   *tification books:*

6            *(1) For procurement programs requesting more*  
7   *than \$10,000,000 in any fiscal year, the P-1, Pro-*  
8   *curement Program; P-5, Cost Analysis; P-5a, Pro-*  
9   *curement History and Planning; P-21, Production*  
10   *Schedule; and P-40, Budget Item Justification.*

11           *(2) For research, development, test and evalua-*  
12   *tion projects requesting more than \$5,000,000 in any*  
13   *fiscal year, the R-1, Research, Development, Test and*  
14   *Evaluation Program; R-2, Research, Development,*  
15   *Test and Evaluation Budget Item Justification; R-3,*  
16   *Research, Development, Test and Evaluation Project*  
17   *Cost Analysis; and R-4, Research, Development, Test*  
18   *and Evaluation Program Schedule Profile.*

19        *SEC. 8088. (a) Not later than 60 days after the date*  
20   *of enactment of this Act, the Director of National Intel-*  
21   *ligence shall submit a report to the congressional intel-*  
22   *ligence committees to establish the baseline for application*  
23   *of reprogramming and transfer authorities for fiscal year*  
24   *2013: Provided, That the report shall include—*

8 (3) *an identification of items of special congres-*  
9 *sional interest.*

18 (INCLUDING TRANSFER OF FUNDS)

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1 *are to be merged with and available for the same purposes*  
2 *and time period as the appropriation to which transferred:*  
3 *Provided further, That the Office of Management and Budg-*  
4 *et must approve any transfers made under this provision.*

5 *SEC. 8090. (a) None of the funds provided for the Na-*  
6 *tional Intelligence Program in this or any prior appropria-*  
7 *tions Act shall be available for obligation or expenditure*  
8 *through a reprogramming or transfer of funds in accord-*  
9 *ance with section 102A(d) of the National Security Act of*  
10 *1947 (50 U.S.C. 403–1(d)) that—*

11 *(1) creates a new start effort;*

12 *(2) terminates a program with appropriated funding*  
13 *of \$10,000,000 or more;*

14 *(3) transfers funding into or out of the National Intel-*  
15 *ligence Program; or*

16 *(4) transfers funding between appropriations,*  
17 *unless the congressional intelligence committees are notified*  
18 *30 days in advance of such reprogramming of funds; this*  
19 *notification period may be reduced for urgent national se-*  
20 *curity requirements.*

21 *(b) None of the funds provided for the National Intel-*  
22 *ligence Program in this or any prior appropriations Act*  
23 *shall be available for obligation or expenditure through a*  
24 *reprogramming or transfer of funds in accordance with sec-*  
25 *tion 102A(d) of the National Security Act of 1947 (50*

1 *U.S.C. 403–1(d)) that results in a cumulative increase or*  
2 *decrease of the levels specified in the classified annex accom-*  
3 *panying the Act unless the congressional intelligence com-*  
4 *mittees are notified 30 days in advance of such reprogram-*  
5 *ming of funds; this notification period may be reduced for*  
6 *urgent national security requirements.*

7       *SEC. 8091. The Director of National Intelligence shall*  
8 *submit to Congress each year, at or about the time that*  
9 *the President’s budget is submitted to Congress that year*  
10 *under section 1105(a) of title 31, United States Code, a fu-*  
11 *ture-years intelligence program (including associated an-*  
12 *nexes) reflecting the estimated expenditures and proposed*  
13 *appropriations included in that budget. Any such future-*  
14 *years intelligence program shall cover the fiscal year with*  
15 *respect to which the budget is submitted and at least the*  
16 *four succeeding fiscal years.*

17       *SEC. 8092. For the purposes of this Act, the term “con-*  
18 *gressional intelligence committees” means the Permanent*  
19 *Select Committee on Intelligence of the House of Represent-*  
20 *atives, the Select Committee on Intelligence of the Senate,*  
21 *the Subcommittee on Defense of the Committee on Appro-*  
22 *priations of the House of Representatives, and the Sub-*  
23 *committee on Defense of the Committee on Appropriations*  
24 *of the Senate.*



1       *SEC. 8093. The Department of Defense shall continue*  
2 *to report incremental contingency operations costs for Oper-*  
3 *ation New Dawn and Operation Enduring Freedom, or any*  
4 *other named operations in the U.S. Central Command area*  
5 *of operation on a monthly basis in the Cost of War Execu-*  
6 *tion Report as prescribed in the Department of Defense Fi-*  
7 *nancial Management Regulation Department of Defense In-*  
8 *struction 7000.14, Volume 12, Chapter 23 “Contingency*  
9 *Operations”, Annex 1, dated September 2005.*

10                   *(INCLUDING TRANSFER OF FUNDS)*

11       *SEC. 8094. During the current fiscal year, not to ex-*  
12 *ceed \$11,000,000 from each of the appropriations made in*  
13 *title II of this Act for “Operation and Maintenance, Army”,*  
14 *“Operation and Maintenance, Navy”, and “Operation and*  
15 *Maintenance, Air Force” may be transferred by the mili-*  
16 *tary department concerned to its central fund established*  
17 *for Fisher Houses and Suites pursuant to section 2493(d)*  
18 *of title 10, United States Code.*

19                   *(INCLUDING TRANSFER OF FUNDS)*

20       *SEC. 8095. Funds appropriated by this Act for oper-*  
21 *ation and maintenance may be available for the purpose*  
22 *of making remittances to the Defense Acquisition Workforce*  
23 *Development Fund in accordance with the requirements of*  
24 *section 1705 of title 10, United States Code.*

1       *SEC. 8096. (a) Any agency receiving funds made*  
2       *available in this Act, shall, subject to subsections (b) and*  
3       *(c), post on the public Web site of that agency any report*  
4       *required to be submitted by the Congress in this or any*  
5       *other Act, upon the determination by the head of the agency*  
6       *that it shall serve the national interest.*

7       *(b) Subsection (a) shall not apply to a report if—*

8               *(1) the public posting of the report compromises*  
9       *national security; or*

10              *(2) the report contains proprietary information.*

11       *(c) The head of the agency posting such report shall*  
12       *do so only after such report has been made available to the*  
13       *requesting Committee or Committees of Congress for no less*  
14       *than 45 days.*

15       *SEC. 8097. (a) None of the funds appropriated or oth-*  
16       *erwise made available by this Act may be expended for any*  
17       *Federal contract for an amount in excess of \$1,000,000, un-*  
18       *less the contractor agrees not to—*

19              *(1) enter into any agreement with any of its em-*  
20       *ployees or independent contractors that requires, as a*  
21       *condition of employment, that the employee or inde-*  
22       *pendent contractor agree to resolve through arbitra-*  
23       *tion any claim under title VII of the Civil Rights Act*  
24       *of 1964 or any tort related to or arising out of sexual*  
25       *assault or harassment, including assault and battery,*

1        *intentional infliction of emotional distress, false im-*  
2        *prisonment, or negligent hiring, supervision, or reten-*  
3        *tion; or*

4            *(2) take any action to enforce any provision of*  
5        *an existing agreement with an employee or inde-*  
6        *pendent contractor that mandates that the employee*  
7        *or independent contractor resolve through arbitration*  
8        *any claim under title VII of the Civil Rights Act of*  
9        *1964 or any tort related to or arising out of sexual*  
10       *assault or harassment, including assault and battery,*  
11       *intentional infliction of emotional distress, false im-*  
12       *prisonment, or negligent hiring, supervision, or reten-*  
13       *tion.*

14       *(b) None of the funds appropriated or otherwise made*  
15       *available by this Act may be expended for any Federal con-*  
16       *tract unless the contractor certifies that it requires each cov-*  
17       *ered subcontractor to agree not to enter into, and not to*  
18       *take any action to enforce any provision of, any agreement*  
19       *as described in paragraphs (1) and (2) of subsection (a),*  
20       *with respect to any employee or independent contractor per-*  
21       *forming work related to such subcontract. For purposes of*  
22       *this subsection, a “covered subcontractor” is an entity that*  
23       *has a subcontract in excess of \$1,000,000 on a contract sub-*  
24       *ject to subsection (a).*

1       (c) *The prohibitions in this section do not apply with*  
2 *respect to a contractor's or subcontractor's agreements with*  
3 *employees or independent contractors that may not be en-*  
4 *forced in a court of the United States.*

5       (d) *The Secretary of Defense may waive the applica-*  
6 *tion of subsection (a) or (b) to a particular contractor or*  
7 *subcontractor for the purposes of a particular contract or*  
8 *subcontract if the Secretary or the Deputy Secretary per-*  
9 *sonally determines that the waiver is necessary to avoid*  
10 *harm to national security interests of the United States,*  
11 *and that the term of the contract or subcontract is not*  
12 *longer than necessary to avoid such harm. The determina-*  
13 *tion shall set forth with specificity the grounds for the waiv-*  
14 *er and for the contract or subcontract term selected, and*  
15 *shall state any alternatives considered in lieu of a waiver*  
16 *and the reasons each such alternative would not avoid harm*  
17 *to national security interests of the United States. The Sec-*  
18 *retary of Defense shall transmit to Congress, and simulta-*  
19 *neously make public, any determination under this sub-*  
20 *section not less than 15 business days before the contract*  
21 *or subcontract addressed in the determination may be*  
22 *awarded.*

23       SEC. 8098. *None of the funds made available under*  
24 *this Act may be distributed to the Association of Commu-*

1 nity Organizations for Reform Now (ACORN) or its sub-  
2 sidiaries.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8099. *From within the funds appropriated for*  
5 *operation and maintenance for the Defense Health Program*  
6 *in this Act, up to \$139,204,000, shall be available for trans-*  
7 *fer to the Joint Department of Defense-Department of Vet-*  
8 *erans Affairs Medical Facility Demonstration Fund in ac-*  
9 *cordance with the provisions of section 1704 of the National*  
10 *Defense Authorization Act for Fiscal Year 2010, Public Law*  
11 *111–84: Provided, That for purposes of section 1704(b), the*  
12 *facility operations funded are operations of the integrated*  
13 *Captain James A. Lovell Federal Health Care Center, con-*  
14 *sisting of the North Chicago Veterans Affairs Medical Cen-*  
15 *ter, the Navy Ambulatory Care Center, and supporting fa-*  
16 *cilities designated as a combined Federal medical facility*  
17 *as described by section 706 of Public Law 110–417: Pro-*  
18 *vided further, That additional funds may be transferred*  
19 *from funds appropriated for operation and maintenance for*  
20 *the Defense Health Program to the Joint Department of De-*  
21 *fense-Department of Veterans Affairs Medical Facility*  
22 *Demonstration Fund upon written notification by the Sec-*  
23 *retary of Defense to the Committees on Appropriations of*  
24 *the House of Representatives and the Senate.*

1       *SEC. 8100. The Office of the Director of National Intel-*  
2 *ligence shall not employ more Senior Executive employees*  
3 *than are specified in the classified annex.*

4       *SEC. 8101. None of the funds appropriated or other-*  
5 *wise made available by this Act may be obligated or ex-*  
6 *pended to pay a retired general or flag officer to serve as*  
7 *a senior mentor advising the Department of Defense unless*  
8 *such retired officer files a Standard Form 278 (or successor*  
9 *form concerning public financial disclosure under part*  
10 *2634 of title 5, Code of Federal Regulations) to the Office*  
11 *of Government Ethics.*

12       *SEC. 8102. Appropriations available to the Depart-*  
13 *ment of Defense may be used for the purchase of heavy and*  
14 *light armored vehicles for the physical security of personnel*  
15 *or for force protection purposes up to a limit of \$250,000*  
16 *per vehicle, notwithstanding price or other limitations ap-*  
17 *plicable to the purchase of passenger carrying vehicles.*

18                   *(INCLUDING TRANSFER OF FUNDS)*

19       *SEC. 8103. There is hereby established in the Treasury*  
20 *of the United States the “Ship Modernization, Operations*  
21 *and Sustainment Fund”. There is appropriated*  
22 *\$2,382,100,000, for the “Ship Modernization, Operations*  
23 *and Sustainment Fund”, to remain available until Sep-*  
24 *tember 30, 2014: Provided, That the Secretary of the Navy*  
25 *shall transfer funds from the “Ship Modernization, Oper-*

1 *ations and Sustainment Fund” to appropriations for mili-*  
2 *tary personnel; operation and maintenance; research, devel-*  
3 *opment, test and evaluation; and procurement, only for the*  
4 *purposes of manning, operating, sustaining, equipping and*  
5 *modernizing the Ticonderoga-class guided missile cruisers*  
6 *CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73,*  
7 *and the Whidbey Island-class dock landing ships LSD-41*  
8 *and LSD-46: Provided further, That funds transferred shall*  
9 *be merged with and be available for the same purposes and*  
10 *for the same time period as the appropriation to which they*  
11 *are transferred: Provided further, That the transfer author-*  
12 *ity provided herein shall be in addition to any other trans-*  
13 *fer authority available to the Department of Defense: Pro-*  
14 *vided further, That the Secretary of the Navy shall, not less*  
15 *than 30 days prior to making any transfer from the “Ship*  
16 *Modernization, Operations and Sustainment Fund”, notify*  
17 *the congressional defense committees in writing of the de-*  
18 *tails of such transfer.*

19 *SEC. 8104. None of the funds made available by this*  
20 *Act may be used by the Secretary of Defense to take bene-*  
21 *ficial occupancy of more than 2,500 parking spaces (other*  
22 *than handicap-reserved spaces) to be provided by the BRAC*  
23 *133 project: Provided, That this limitation may be waived*  
24 *in part if: (1) the Secretary of Defense certifies to Congress*  
25 *that levels of service at existing intersections in the vicinity*

1 of the project have not experienced failing levels of service  
2 as defined by the Transportation Research Board Highway  
3 Capacity Manual over a consecutive 90-day period; (2) the  
4 Department of Defense and the Virginia Department of  
5 Transportation agree on the number of additional parking  
6 spaces that may be made available to employees of the facil-  
7 ity subject to continued 90-day traffic monitoring; and (3)  
8 the Secretary of Defense notifies the congressional defense  
9 committees in writing at least 14 days prior to exercising  
10 this waiver of the number of additional parking spaces to  
11 be made available.

12       SEC. 8105. Not later than 120 days after the date of  
13 the enactment of this Act, the Secretary of Defense shall re-  
14 sume quarterly reporting of the numbers of civilian per-  
15 sonnel end strength by appropriation account for each and  
16 every appropriation account used to finance Federal civil-  
17 ian personnel salaries to the congressional defense commit-  
18 tees within 15 days after the end of each fiscal quarter.

19       SEC. 8106. None of the funds appropriated in this or  
20 any other Act may be used to plan, prepare for, or otherwise  
21 take any action to undertake or implement the separation  
22 of the National Intelligence Program budget from the De-  
23 partment of Defense budget.



1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8107. Upon a determination by the Director of  
3 National Intelligence that such action is necessary and in  
4 the national interest, the Director may, with the approval  
5 of the Office of Management and Budget, transfer not to  
6 exceed \$2,000,000,000 of the funds made available in this  
7 Act for the National Intelligence Program: Provided, That  
8 such authority to transfer may not be used unless for higher  
9 priority items, based on unforeseen intelligence require-  
10 ments, than those for which originally appropriated and  
11 in no case where the item for which funds are requested  
12 has been denied by the Congress: Provided further, That a  
13 request for multiple reprogrammings of funds using author-  
14 ity provided in this section shall be made prior to June  
15 30, 2013.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8108. In addition to amounts provided elsewhere  
18 in the Act, there is appropriated \$270,000,000 for an addi-  
19 tional amount for “Operation and Maintenance, Defense-  
20 Wide”, to be available until expended: Provided, That such  
21 funds shall only be available to the Secretary of Defense,  
22 acting through the Office of Economic Adjustment of the  
23 Department of Defense, or for transfer to the Secretary of  
24 Education, notwithstanding any other provision of law, to  
25 make grants, conclude cooperative agreements, or supple-

1 *ment other Federal funds to construct, renovate, repair, or*  
2 *expand elementary and secondary public schools on mili-*  
3 *tary installations in order to address capacity or facility*  
4 *condition deficiencies at such schools: Provided further,*  
5 *That in making such funds available, the Office of Eco-*  
6 *nomie Adjustment or the Secretary of Education shall give*  
7 *priority consideration to those military installations with*  
8 *schools having the most serious capacity or facility condi-*  
9 *tion deficiencies as determined by the Secretary of Defense:*  
10 *Provided further, That funds may not be made available*  
11 *for a school unless its enrollment of Department of Defense-*  
12 *connected children is greater than 50 percent.*

13 *SEC. 8109. None of the funds appropriated or other-*  
14 *wise made available in this or any other Act may be used*  
15 *to transfer, release, or assist in the transfer or release to*  
16 *or within the United States, its territories, or possessions*  
17 *Khalid Sheikh Mohammed or any other detainee who—*

18 *(1) is not a United States citizen or a member*  
19 *of the Armed Forces of the United States; and*

20 *(2) is or was held on or after June 24, 2009, at*  
21 *the United States Naval Station, Guantánamo Bay,*  
22 *Cuba, by the Department of Defense.*

23 *SEC. 8110. (a)(1) Except as provided in paragraph*  
24 *(2) and subsection (d), none of the funds appropriated or*  
25 *otherwise made available in this or any other Act may be*

1 *used to transfer any individual detained at Guantánamo*  
2 *to the custody or control of the individual's country of ori-*  
3 *gin, any other foreign country, or any other foreign entity*  
4 *unless the Secretary of Defense submits to Congress the cer-*  
5 *tification described in subsection (b) not later than 30 days*  
6 *before the transfer of the individual.*

7       (2) *Paragraph (1) shall not apply to any action taken*  
8 *by the Secretary to transfer any individual detained at*  
9 *Guantánamo to effectuate—*

10           (A) *an order affecting the disposition of the indi-*  
11 *vidual that is issued by a court or competent tribunal*  
12 *of the United States having lawful jurisdiction (which*  
13 *the Secretary shall notify Congress of promptly after*  
14 *issuance); or*

15           (B) *a pre-trial agreement entered in a military*  
16 *commission case prior to the date of the enactment of*  
17 *this Act.*

18       (b) *A certification described in this subsection is a*  
19 *written certification made by the Secretary of Defense, with*  
20 *the concurrence of the Secretary of State and in consulta-*  
21 *tion with the Director of National Intelligence, that—*

22           (1) *the government of the foreign country or the*  
23 *recognized leadership of the foreign entity to which*  
24 *the individual detained at Guantánamo is to be*  
25 *transferred—*

1           (A) is not a designated state sponsor of ter-  
2           rorism or a designated foreign terrorist organi-  
3           zation;

4           (B) maintains control over each detention  
5           facility in which the individual is to be detained  
6           if the individual is to be housed in a detention  
7           facility;

8           (C) is not, as of the date of the certification,  
9           facing a threat that is likely to substantially af-  
10          fect its ability to exercise control over the indi-  
11          vidual;

12          (D) has taken or agreed to take effective ac-  
13          tions to ensure that the individual cannot take  
14          action to threaten the United States, its citizens,  
15          or its allies in the future;

16          (E) has taken or agreed to take such actions  
17          as the Secretary of Defense determines are nec-  
18          essary to ensure that the individual cannot en-  
19          gage or re-engage in any terrorist activity; and

20          (F) has agreed to share with the United  
21          States any information that—

22               (i) is related to the individual or any  
23               associates of the individual; and

24               (ii) could affect the security of the  
25               United States, its citizens, or its allies; and

1           (2) *includes an assessment, in classified or un-*  
2           *classified form, of the capacity, willingness, and past*  
3           *practices (if applicable) of the foreign country or enti-*  
4           *ty in relation to the Secretary's certifications.*

5           (c)(1) *Except as provided in paragraph (2) and sub-*  
6           *section (d), none of the funds appropriated or otherwise*  
7           *made available in this or any other Act may be used to*  
8           *transfer any individual detained at Guantánamo to the*  
9           *custody or control of the individual's country of origin, any*  
10          *other foreign country, or any other foreign entity if there*  
11          *is a confirmed case of any individual who was detained*  
12          *at United States Naval Station, Guantánamo Bay, Cuba,*  
13          *at any time after September 11, 2001, who was transferred*  
14          *to such foreign country or entity and subsequently engaged*  
15          *in any terrorist activity.*

16          (2) *Paragraph (1) shall not apply to any action taken*  
17          *by the Secretary to transfer any individual detained at*  
18          *Guantánamo to effectuate—*

19                (A) *an order affecting the disposition of the indi-*  
20                *vidual that is issued by a court or competent tribunal*  
21                *of the United States having lawful jurisdiction (which*  
22                *the Secretary shall notify Congress of promptly after*  
23                *issuance); or*

1           (B) a pre-trial agreement entered in a military  
2           commission case prior to the date of the enactment of  
3           this Act.

4           (d)(1) The Secretary of Defense may waive the appli-  
5           cability to a detainee transfer of a certification requirement  
6           specified in subparagraph (D) or (E) of subsection (b)(1)  
7           or the prohibition in subsection (c), if the Secretary certifies  
8           the rest of the criteria required by subsection (b) for trans-  
9           fers prohibited by (c) and, with the concurrence of the Sec-  
10          retary of State and in consultation with the Director of Na-  
11          tional Intelligence, determines that—

12           (A) alternative actions will be taken to address  
13           the underlying purpose of the requirement or require-  
14           ments to be waived;

15           (B) in the case of a waiver of subparagraph (D)  
16           or (E) of subsection (b)(1), it is not possible to certify  
17           that the risks addressed in the paragraph to be  
18           waived have been completely eliminated, but the ac-  
19           tions to be taken under subparagraph (A) will sub-  
20           stantially mitigate such risks with regard to the indi-  
21           vidual to be transferred;

22           (C) in the case of a waiver of subsection (c), the  
23           Secretary has considered any confirmed case in which  
24           an individual who was transferred to the country  
25           subsequently engaged in terrorist activity, and the ac-

1        *tions to be taken under subparagraph (A) will sub-*  
2        *stantially mitigate the risk of recidivism with regard*  
3        *to the individual to be transferred; and*

4                *(D) the transfer is in the national security inter-*  
5        *ests of the United States.*

6        *(2) Whenever the Secretary makes a determination*  
7        *under paragraph (1), the Secretary shall submit to the ap-*  
8        *propriate committees of Congress, not later than 30 days*  
9        *before the transfer of the individual concerned, the fol-*  
10       *lowing:*

11                *(A) A copy of the determination and the waiver*  
12        *concerned.*

13                *(B) A statement of the basis for the determina-*  
14        *tion, including—*

15                        *(i) an explanation why the transfer is in*  
16        *the national security interests of the United*  
17        *States; and*

18                        *(ii) in the case of a waiver of subparagraph*  
19        *(D) or (E) of subsection (b)(1), an explanation*  
20        *why it is not possible to certify that the risks ad-*  
21        *dressed in the subparagraph to be waived have*  
22        *been completely eliminated.*

23                *(C) A summary of the alternative actions to be*  
24        *taken to address the underlying purpose of, and to*

1       mitigate the risks addressed in, the subparagraph or  
2       subsection to be waived.

3               (D) *The assessment required by subsection (b)(2).*

4       (e) *In this section:*

5               (1) *The term “appropriate committees of Con-*  
6       *gress” means—*

7                       (A) *the Committee on Armed Services, the*  
8                       *Committee on Appropriations, and the Select*  
9                       *Committee on Intelligence of the Senate; and*

10                      (B) *the Committee on Armed Services, the*  
11                      *Committee on Appropriations, and the Perma-*  
12                      *nent Select Committee on Intelligence of the*  
13                      *House of Representatives.*

14               (2) *The term “individual detained at*  
15       *Guantánamo” means any individual located at*  
16       *United States Naval Station, Guantánamo Bay,*  
17       *Cuba, as of October 1, 2009, who—*

18                      (A) *is not a citizen of the United States or*  
19                      *a member of the Armed Forces of the United*  
20                      *States; and*

21                      (B) *is—*

22                               (i) *in the custody or under the control*  
23                               *of the Department of Defense; or*



1                   (ii) otherwise under detention at  
2                   United States Naval Station, Guantánamo  
3                   Bay, Cuba.

4                   (3) The term “foreign terrorist organization”  
5                   means any organization so designated by the Sec-  
6                   retary of State under section 219 of the Immigration  
7                   and Nationality Act (8 U.S.C. 1189).

8                   SEC. 8111. (a) None of the funds appropriated or oth-  
9                   erwise made available in this or any other Act may be used  
10                  to construct, acquire, or modify any facility in the United  
11                  States, its territories, or possessions to house any individual  
12                  described in subsection (c) for the purposes of detention or  
13                  imprisonment in the custody or under the effective control  
14                  of the Department of Defense.

15                  (b) The prohibition in subsection (a) shall not apply  
16                  to any modification of facilities at United States Naval  
17                  Station, Guantánamo Bay, Cuba.

18                  (c) An individual described in this subsection is any  
19                  individual who, as of June 24, 2009, is located at United  
20                  States Naval Station, Guantánamo Bay, Cuba, and who—

21                         (1) is not a citizen of the United States or a  
22                         member of the Armed Forces of the United States; and

23                         (2) is—

24                                 (A) in the custody or under the effective  
25                                 control of the Department of Defense; or

1                   (B) otherwise under detention at United  
2                   States Naval Station, Guantánamo Bay, Cuba.

3           SEC. 8112. None of the funds made available by this  
4 Act may be used to enter into a contract, memorandum of  
5 understanding, or cooperative agreement with, make a  
6 grant to, or provide a loan or loan guarantee to, any cor-  
7 poration that has any unpaid Federal tax liability that has  
8 been assessed, for which all judicial and administrative  
9 remedies have been exhausted or have lapsed, and that is  
10 not being paid in a timely manner pursuant to an agree-  
11 ment with the authority responsible for collecting the tax  
12 liability, where the awarding agency is aware of the unpaid  
13 tax liability, unless the agency has considered suspension  
14 or debarment of the corporation and made a determination  
15 that this further action is not necessary to protect the inter-  
16 ests of the Government.

17          SEC. 8113. None of the funds made available by this  
18 Act may be used to enter into a contract, memorandum of  
19 understanding, or cooperative agreement with, make a  
20 grant to, or provide a loan or loan guarantee to, any cor-  
21 poration that was convicted of a felony criminal violation  
22 under any Federal law within the preceding 24 months,  
23 where the awarding agency is aware of the conviction, un-  
24 less the agency has considered suspension or debarment of  
25 the corporation and made a determination that this further

1 *action is not necessary to protect the interests of the Govern-*  
2 *ment.*

3       *SEC. 8114. None of the funds made available by this*  
4 *Act may be used in contravention of section 1590 or 1591*  
5 *of title 18, United States Code, or in contravention of the*  
6 *requirements of section 106(g) or (h) of the Trafficking Vic-*  
7 *tims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).*

8       *SEC. 8115. None of the funds made available by this*  
9 *Act for International Military education and training, for-*  
10 *eign military financing, excess defense article, assistance*  
11 *under section 1206 of the National Defense Authorization*  
12 *Act for Fiscal year 2006 (Public Law 109–163; 119 Stat.*  
13 *3456) issuance for direct commercial sales of military*  
14 *equipment, or peacekeeping operations for the countries of*  
15 *Chad, Yemen, Somalia, Sudan, the Democratic Republic of*  
16 *the Congo, and Burma may be used to support any mili-*  
17 *tary training or operation that include child soldiers, as*  
18 *defined by the Child Soldiers Prevention Act of 2008, and*  
19 *except if such assistance is otherwise permitted under sec-*  
20 *tion 404 of the Child Soldiers Prevention Act of 2008 (Pub-*  
21 *lic Law 110–457; 22 U.S.C. 2370c–1).*

22       *SEC. 8116. None of the funds made available by this*  
23 *Act may be used in contravention of the War Powers Reso-*  
24 *lution (50 U.S.C. 1541 et seq.).*

1       *SEC. 8117. None of the funds made available by this*  
2 *Act may be used to retire, divest, realign, or transfer Air*  
3 *Force aircraft, to disestablish or convert units associated*  
4 *with such aircraft, or to disestablish or convert any other*  
5 *unit of the Air National Guard or Air Force Reserve: Pro-*  
6 *vided, That this section shall not apply to actions affecting*  
7 *C-5, C-17, or E-8 aircraft, or the units associated with*  
8 *such aircraft: Provided further, That this section shall con-*  
9 *tinue in effect through the date of enactment of an Act au-*  
10 *thorizing appropriations for fiscal year 2013 for military*  
11 *activities of the Department of Defense.*

12       *SEC. 8118. The Secretary of the Air Force shall obli-*  
13 *gate and expend funds previously appropriated for the pro-*  
14 *curement of RQ-4B Global Hawk and C-27J Spartan air-*  
15 *craft for the purposes for which such funds were originally*  
16 *appropriated.*

17       *SEC. 8119. It is the Sense of the Senate that the next*  
18 *available capital warship of the U.S. Navy be named the*  
19 *USS Ted Stevens to recognize the public service achieve-*  
20 *ments, military service sacrifice, and undaunted heroism*  
21 *and courage of the long-serving United States Senator for*  
22 *Alaska.*

23       *SEC. 8120. None of the funds made available by this*  
24 *Act shall be used to retire C-23 Sherpa aircraft.*

1       *SEC. 8121. The total amount available in the Act for*  
2 *pay for civilian personnel of the Department of Defense for*  
3 *fiscal year 2013 shall be the amount otherwise appropriated*  
4 *or made available by this Act for such pay reduced by*  
5 *\$72,718,000.*

6       *SEC. 8122. None of the funds made available by this*  
7 *Act may be used to enter into a contract for UH-60 Leak*  
8 *Proof Drip Pans using procedures other than competitive*  
9 *procedures (as defined in section 2302(2) of title 10, United*  
10 *States Code).*

11       *SEC. 8123. None of the funds appropriated or other-*  
12 *wise made available by this Act or any other Act may be*  
13 *used by the Department of Defense or a component thereof*  
14 *in contravention of section 1244 of the National Defense*  
15 *Authorization Act for Fiscal Year 2012 (Public Law 112-*  
16 *81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision*  
17 *of an Act authorizing appropriations for the Department*  
18 *of Defense for fiscal year 2013 relating to sharing classified*  
19 *ballistic missile defense information with Russia.*

20       *SEC. 8124. None of the Operation and Maintenance*  
21 *funds made available in this Act may be used in contraven-*  
22 *tion of section 41106 of title 49, United States Code.*

23       *SEC. 8125. None of the funds made available by this*  
24 *Act may be used by the Department of Defense or any other*  
25 *Federal agency to lease or purchase new light duty vehicles,*

1 *for any executive fleet, or for an agency's fleet inventory,*  
2 *except in accordance with Presidential Memorandum-Fed-*  
3 *eral Fleet Performance, dated May 24, 2011.*

4 *SEC. 8126. None of the funds made available by this*  
5 *Act may be used to enter into a contract with any person*  
6 *or other entity listed in the Excluded Parties List System*  
7 *(EPLS)/System for Award Management (SAM) as having*  
8 *been convicted of fraud against the Federal Government.*

9 *SEC. 8127. None of the funds made available by this*  
10 *Act for the Department of Defense may be used to enter*  
11 *into a contract, memorandum of understanding, or coopera-*  
12 *tive agreement with, make a grant to, or provide a loan*  
13 *or loan guarantee to Rosoboronexport: Provided, That the*  
14 *Secretary of Defense may waive this restriction on a case-*  
15 *by-case basis by certifying in writing to the Committees on*  
16 *Appropriations of the House of Representatives and the*  
17 *Senate that it is in the national security interest to do so.*

18 *SEC. 8128. None of the funds made available by this*  
19 *Act may be used by the Secretary of Defense to implement*  
20 *an enrollment fee for the TRICARE for Life program under*  
21 *chapter 55 of title 10, United States Code, that does not*  
22 *exist as of the date of the enactment of this Act.*

23 *SEC. 8129. (a) REQUIREMENT TO CONTINUE PROVI-*  
24 *SION OF TUITION ASSISTANCE FOR MEMBERS OF THE*  
25 *ARMED FORCES.—The Secretaries of the military depart-*

1 *ments shall carry out tuition assistance programs for mem-*  
 2 *bers of the Armed Forces during the remainder of fiscal year*  
 3 *2013 using amounts specified in subsection (b).*

4 *(b) AMOUNTS.—The minimum amount used by the*  
 5 *Secretary of a military department for tuition assistance*  
 6 *for members of an Armed Force under the jurisdiction of*  
 7 *that Secretary pursuant to subsection (a) shall be not less*  
 8 *than—*

9 *(1) the amount appropriated or otherwise made*  
 10 *available by this Act for tuition assistance programs*  
 11 *for members of that Armed Force, minus*

12 *(2) an amount that is not more than the percent-*  
 13 *age of the reduction required to the Operation and*  
 14 *Maintenance account for that Armed Force for fiscal*  
 15 *year 2013 by the budget sequester required by section*  
 16 *251A of the Balanced Budget and Emergency Deficit*  
 17 *Control Act of 1985.*

## 18 *TITLE IX*

### 19 *OVERSEAS CONTINGENCY OPERATIONS*

#### 20 *MILITARY PERSONNEL*

#### 21 *MILITARY PERSONNEL, ARMY*

22 *For an additional amount for “Military Personnel,*  
 23 *Army”, \$9,790,082,000: Provided, That such amount is des-*  
 24 *ignated by the Congress for Overseas Contingency Oper-*  
 25 *ations/Global War on Terrorism pursuant to section*

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 *MILITARY PERSONNEL, NAVY*

4 *For an additional amount for “Military Personnel,*  
5 *Navy”, \$774,225,000: Provided, That such amount is des-*  
6 *ignated by the Congress for Overseas Contingency Oper-*  
7 *ations/Global War on Terrorism pursuant to section*  
8 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
9 *Deficit Control Act of 1985.*

10 *MILITARY PERSONNEL, MARINE CORPS*

11 *For an additional amount for “Military Personnel,*  
12 *Marine Corps”, \$1,425,156,000: Provided, That such*  
13 *amount is designated by the Congress for Overseas Contin-*  
14 *gency Operations/Global War on Terrorism pursuant to sec-*  
15 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
16 *gency Deficit Control Act of 1985.*

17 *MILITARY PERSONNEL, AIR FORCE*

18 *For an additional amount for “Military Personnel,*  
19 *Air Force”, \$1,286,783,000: Provided, That such amount*  
20 *is designated by the Congress for Overseas Contingency Op-*  
21 *erations/Global War on Terrorism pursuant to section*  
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
23 *Deficit Control Act of 1985.*



1                    *RESERVE PERSONNEL, ARMY*

2            *For an additional amount for “Reserve Personnel,*  
3 *Army”, \$156,893,000: Provided, That such amount is des-*  
4 *ignated by the Congress for Overseas Contingency Oper-*  
5 *ations/Global War on Terrorism pursuant to section*  
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
7 *Deficit Control Act of 1985.*

8                    *RESERVE PERSONNEL, NAVY*

9            *For an additional amount for “Reserve Personnel,*  
10 *Navy”, \$39,335,000: Provided, That such amount is des-*  
11 *ignated by the Congress for Overseas Contingency Oper-*  
12 *ations/Global War on Terrorism pursuant to section*  
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
14 *Deficit Control Act of 1985.*

15                    *RESERVE PERSONNEL, MARINE CORPS*

16            *For an additional amount for “Reserve Personnel, Ma-*  
17 *rine Corps”, \$24,722,000: Provided, That such amount is*  
18 *designated by the Congress for Overseas Contingency Oper-*  
19 *ations/Global War on Terrorism pursuant to section*  
20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
21 *Deficit Control Act of 1985.*

22                    *RESERVE PERSONNEL, AIR FORCE*

23            *For an additional amount for “Reserve Personnel, Air*  
24 *Force”, \$25,348,000: Provided, That such amount is des-*  
25 *ignated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*  
 2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 3 *Deficit Control Act of 1985.*

4 *NATIONAL GUARD PERSONNEL, ARMY*

5 *For an additional amount for “National Guard Per-*  
 6 *sonnel, Army”, \$583,804,000: Provided, That such amount*  
 7 *is designated by the Congress for Overseas Contingency Op-*  
 8 *erations/Global War on Terrorism pursuant to section*  
 9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 10 *Deficit Control Act of 1985.*

11 *NATIONAL GUARD PERSONNEL, AIR FORCE*

12 *For an additional amount for “National Guard Per-*  
 13 *sonnel, Air Force”, \$10,473,000: Provided, That such*  
 14 *amount is designated by the Congress for Overseas Contin-*  
 15 *gency Operations/Global War on Terrorism pursuant to sec-*  
 16 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
 17 *gency Deficit Control Act of 1985.*

18 *OPERATION AND MAINTENANCE*

19 *OPERATION AND MAINTENANCE, ARMY*

20 *For an additional amount for “Operation and Mainte-*  
 21 *nance, Army”, \$28,452,018,000: Provided, That such*  
 22 *amount is designated by the Congress for Overseas Contin-*  
 23 *gency Operations/Global War on Terrorism pursuant to sec-*  
 24 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
 25 *gency Deficit Control Act of 1985.*

1                    *OPERATION AND MAINTENANCE, NAVY*

2            *For an additional amount for “Operation and Mainte-*  
3 *nance, Navy”, \$5,839,934,000: Provided, That such amount*  
4 *is designated by the Congress for Overseas Contingency Op-*  
5 *erations/Global War on Terrorism pursuant to section*  
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
7 *Deficit Control Act of 1985.*

8                    *OPERATION AND MAINTENANCE, MARINE CORPS*

9            *For an additional amount for “Operation and Mainte-*  
10 *nance, Marine Corps”, \$4,116,340,000: Provided, That such*  
11 *amount is designated by the Congress for Overseas Contin-*  
12 *gency Operations/Global War on Terrorism pursuant to sec-*  
13 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
14 *gency Deficit Control Act of 1985.*

15                    *OPERATION AND MAINTENANCE, AIR FORCE*

16            *For an additional amount for “Operation and Mainte-*  
17 *nance, Air Force”, \$9,249,736,000: Provided, That such*  
18 *amount is designated by the Congress for Overseas Contin-*  
19 *gency Operations/Global War on Terrorism pursuant to sec-*  
20 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
21 *gency Deficit Control Act of 1985.*

22                    *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

23            *For an additional amount for “Operation and Mainte-*  
24 *nance, Defense-Wide”, \$7,714,079,000: Provided, That of*  
25 *the funds provided under this heading, not to exceed*

1 \$1,650,000,000, to remain available until September 30,  
2 2014, shall be for payments to reimburse key cooperating  
3 nations for logistical, military, and other support, includ-  
4 ing access, provided to United States military operations  
5 in support of Operation Enduring Freedom, and post-oper-  
6 ation Iraq border security related to the activities of the  
7 Office of Security Cooperation in Iraq, notwithstanding  
8 any other provision of law: Provided further, That such re-  
9 imbursement payments may be made in such amounts as  
10 the Secretary of Defense, with the concurrence of the Sec-  
11 retary of State, and in consultation with the Director of  
12 the Office of Management and Budget, may determine, in  
13 his discretion, based on documentation determined by the  
14 Secretary of Defense to adequately account for the support  
15 provided, and such determination is final and conclusive  
16 upon the accounting officers of the United States, and 15  
17 days following notification to the appropriate congressional  
18 committees: Provided further, That the requirement under  
19 this heading to provide notification to the appropriate con-  
20 gressional committees shall not apply with respect to a re-  
21 imbursement for access based on an international agree-  
22 ment: Provided further, That these funds may be used for  
23 the purpose of providing specialized training and procuring  
24 supplies and specialized equipment and providing such  
25 supplies and loaning such equipment on a non-reimburs-

1 *able basis to coalition forces supporting United States mili-*  
2 *tary operations in Afghanistan, and 15 days following noti-*  
3 *fication to the appropriate congressional committees: Pro-*  
4 *vided further, That the Secretary of Defense shall provide*  
5 *quarterly reports to the congressional defense committees on*  
6 *the use of funds provided in this paragraph: Provided fur-*  
7 *ther, That such amount in this section is designated by the*  
8 *Congress for Overseas Contingency Operations/Global War*  
9 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
10 *Balanced Budget and Emergency Deficit Control Act of*  
11 *1985.*

12 *OPERATION AND MAINTENANCE, ARMY RESERVE*

13 *For an additional amount for “Operation and Mainte-*  
14 *nance, Army Reserve”, \$157,887,000: Provided, That such*  
15 *amount is designated by the Congress for Overseas Contin-*  
16 *gency Operations/Global War on Terrorism pursuant to sec-*  
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
18 *gency Deficit Control Act of 1985.*

19 *OPERATION AND MAINTENANCE, NAVY RESERVE*

20 *For an additional amount for “Operation and Mainte-*  
21 *nance, Navy Reserve”, \$55,924,000: Provided, That such*  
22 *amount is designated by the Congress for Overseas Contin-*  
23 *gency Operations/Global War on Terrorism pursuant to sec-*  
24 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
25 *gency Deficit Control Act of 1985.*

1    *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

2        *For an additional amount for “Operation and Mainte-*  
3 *nance, Marine Corps Reserve”, \$25,477,000: Provided, That*  
4 *such amount is designated by the Congress for Overseas*  
5 *Contingency Operations/Global War on Terrorism pursu-*  
6 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
7 *Emergency Deficit Control Act of 1985.*

8    *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

9        *For an additional amount for “Operation and Mainte-*  
10 *nance, Air Force Reserve”, \$60,618,000: Provided, That*  
11 *such amount is designated by the Congress for Overseas*  
12 *Contingency Operations/Global War on Terrorism pursu-*  
13 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
14 *Emergency Deficit Control Act of 1985.*

15    *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

16        *For an additional amount for “Operation and Mainte-*  
17 *nance, Army National Guard”, \$392,448,000: Provided,*  
18 *That such amount is designated by the Congress for Over-*  
19 *seas Contingency Operations/Global War on Terrorism pur-*  
20 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
21 *and Emergency Deficit Control Act of 1985.*

22    *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

23        *For an additional amount for “Operation and Mainte-*  
24 *nance, Air National Guard”, \$34,500,000: Provided, That*  
25 *such amount is designated by the Congress for Overseas*

1 *Contingency Operations/Global War on Terrorism pursu-*  
2 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
3 *Emergency Deficit Control Act of 1985.*

4 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*  
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *In addition to amounts provided elsewhere in this Act,*  
7 *there is appropriated \$582,884,000 for the “Overseas Con-*  
8 *tingency Operations Transfer Fund” for expenses directly*  
9 *relating to overseas contingency operations by United*  
10 *States military forces, to be available until expended: Pro-*  
11 *vided, That of the funds made available in this section, the*  
12 *Secretary of Defense may transfer these funds only to mili-*  
13 *tary personnel accounts, operation and maintenance ac-*  
14 *counts, procurement accounts, and working capital fund ac-*  
15 *counts: Provided further, That the funds made available in*  
16 *this paragraph may only be used for programs, projects,*  
17 *or activities categorized as Overseas Contingency Oper-*  
18 *ations in the fiscal year 2013 budget request for the Depart-*  
19 *ment of Defense and the justification material and other*  
20 *documentation supporting such request: Provided further,*  
21 *That the funds transferred shall be merged with and shall*  
22 *be available for the same purposes and for the same time*  
23 *period, as the appropriation to which transferred: Provided*  
24 *further, That the Secretary shall notify the congressional*  
25 *defense committees 15 days prior to such transfer: Provided*

1 *further, That the transfer authority provided under this*  
 2 *heading is in addition to any other transfer authority*  
 3 *available to the Department of Defense: Provided further,*  
 4 *That upon a determination that all or part of the funds*  
 5 *transferred from this appropriation are not necessary for*  
 6 *the purposes provided herein, such amounts may be trans-*  
 7 *ferred back to this appropriation and shall be available for*  
 8 *the same purposes and for the same time period as origi-*  
 9 *nally appropriated: Provided further, That such amount is*  
 10 *designated by the Congress for Overseas Contingency Oper-*  
 11 *ations/Global War on Terrorism pursuant to section*  
 12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 13 *Deficit Control Act of 1985.*

14 *AFGHANISTAN INFRASTRUCTURE FUND*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the “Afghanistan Infrastructure Fund”,*  
 17 *\$325,000,000, to remain available until September 30,*  
 18 *2014: Provided, That such funds shall be available to the*  
 19 *Secretary of Defense for infrastructure projects in Afghani-*  
 20 *stan, notwithstanding any other provision of law, which*  
 21 *shall be undertaken by the Secretary of State, unless the*  
 22 *Secretary of State and the Secretary of Defense jointly de-*  
 23 *cide that a specific project will be undertaken by the De-*  
 24 *partment of Defense: Provided further, That the infrastruc-*  
 25 *ture referred to in the preceding proviso is in support of*



1 the counterinsurgency strategy, which may require funding  
2 for facility and infrastructure projects, including, but not  
3 limited to, water, power, and transportation projects and  
4 related maintenance and sustainment costs: Provided fur-  
5 ther, That the authority to undertake such infrastructure  
6 projects is in addition to any other authority to provide  
7 assistance to foreign nations: Provided further, That any  
8 projects funded under this heading shall be jointly formu-  
9 lated and concurred in by the Secretary of State and Sec-  
10 retary of Defense: Provided further, That funds may be  
11 transferred to the Department of State for purposes of un-  
12 dertaking projects, which funds shall be considered to be eco-  
13 nomic assistance under the Foreign Assistance Act of 1961  
14 for purposes of making available the administrative au-  
15 thorities contained in that Act: Provided further, That the  
16 transfer authority in the preceding proviso is in addition  
17 to any other authority available to the Department of De-  
18 fense to transfer funds: Provided further, That any unex-  
19 pended funds transferred to the Secretary of State under  
20 this authority shall be returned to the Afghanistan Infra-  
21 structure Fund if the Secretary of State, in coordination  
22 with the Secretary of Defense, determines that the project  
23 cannot be implemented for any reason, or that the project  
24 no longer supports the counterinsurgency strategy in Af-  
25 ghanistan: Provided further, That any funds returned to

1 *the Secretary of Defense under the previous proviso shall*  
2 *be available for use under this appropriation and shall be*  
3 *treated in the same manner as funds not transferred to the*  
4 *Secretary of State: Provided further, That contributions of*  
5 *funds for the purposes provided herein to the Secretary of*  
6 *State in accordance with section 635(d) of the Foreign As-*  
7 *sistance Act from any person, foreign government, or inter-*  
8 *national organization may be credited to this Fund, to re-*  
9 *main available until expended, and used for such purposes:*  
10 *Provided further, That the Secretary of Defense shall, not*  
11 *fewer than 15 days prior to making transfers to or from,*  
12 *or obligations from the Fund, notify the appropriate com-*  
13 *mittees of Congress in writing of the details of any such*  
14 *transfer: Provided further, That the “appropriate commit-*  
15 *tees of Congress” are the Committees on Armed Services,*  
16 *Foreign Relations and Appropriations of the Senate and*  
17 *the Committees on Armed Services, Foreign Affairs and Ap-*  
18 *propriations of the House of Representatives: Provided fur-*  
19 *ther, That such amount is designated by the Congress for*  
20 *Overseas Contingency Operations/Global War on Terrorism*  
21 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
22 *and Emergency Deficit Control Act of 1985.*

23 *AFGHANISTAN SECURITY FORCES FUND*

24 *For the “Afghanistan Security Forces Fund”,*  
25 *\$5,124,167,000, to remain available until September 30,*

1 2014: *Provided, That such funds shall be available to the*  
2 *Secretary of Defense, notwithstanding any other provision*  
3 *of law, for the purpose of allowing the Commander, Com-*  
4 *bined Security Transition Command—Afghanistan, or the*  
5 *Secretary’s designee, to provide assistance, with the concur-*  
6 *rence of the Secretary of State, to the security forces of Af-*  
7 *ghanistan, including the provision of equipment, supplies,*  
8 *services, training, facility and infrastructure repair, ren-*  
9 *ovation, and construction, and funding: Provided further,*  
10 *That the authority to provide assistance under this heading*  
11 *is in addition to any other authority to provide assistance*  
12 *to foreign nations: Provided further, That contributions of*  
13 *funds for the purposes provided herein from any person,*  
14 *foreign government, or international organization may be*  
15 *credited to this Fund, to remain available until expended,*  
16 *and used for such purposes: Provided further, That the Sec-*  
17 *retary of Defense shall notify the congressional defense com-*  
18 *mittees in writing upon the receipt and upon the obligation*  
19 *of any contribution, delineating the sources and amounts*  
20 *of the funds received and the specific use of such contribu-*  
21 *tions: Provided further, That the Secretary of Defense shall,*  
22 *not fewer than 15 days prior to obligating from this appro-*  
23 *priation account, notify the congressional defense commit-*  
24 *tees in writing of the details of any such obligation: Pro-*  
25 *vided further, That the Secretary of Defense shall notify the*

1 congressional defense committees of any proposed new  
2 projects or transfer of funds between budget sub-activity  
3 groups in excess of \$20,000,000: Provided further, That such  
4 amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

8 **PROCUREMENT**

9 **AIRCRAFT PROCUREMENT, ARMY**

10 For an additional amount for “Aircraft Procurement,  
11 Army”, \$550,700,000, to remain available until September  
12 30, 2015: Provided, That such amount is designated by the  
13 Congress for Overseas Contingency Operations/Global War  
14 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the  
15 Balanced Budget and Emergency Deficit Control Act of  
16 1985.

17 **MISSILE PROCUREMENT, ARMY**

18 For an additional amount for “Missile Procurement,  
19 Army”, \$67,951,000, to remain available until September  
20 30, 2015: Provided, That such amount is designated by the  
21 Congress for Overseas Contingency Operations/Global War  
22 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the  
23 Balanced Budget and Emergency Deficit Control Act of  
24 1985.

1     *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*  
2                     *VEHICLES, ARMY*

3         *For an additional amount for “Procurement of Weap-*  
4 *ons and Tracked Combat Vehicles, Army”, \$15,422,000, to*  
5 *remain available until September 30, 2015: Provided, That*  
6 *such amount is designated by the Congress for Overseas*  
7 *Contingency Operations/Global War on Terrorism pursu-*  
8 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
9 *Emergency Deficit Control Act of 1985.*

10                     *PROCUREMENT OF AMMUNITION, ARMY*

11         *For an additional amount for “Procurement of Am-*  
12 *munition, Army”, \$338,493,000, to remain available until*  
13 *September 30, 2015: Provided, That such amount is des-*  
14 *ignated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18                     *OTHER PROCUREMENT, ARMY*

19         *For an additional amount for “Other Procurement,*  
20 *Army”, \$1,740,157,000, to remain available until Sep-*  
21 *tember 30, 2015: Provided, That such amount is designated*  
22 *by the Congress for Overseas Contingency Operations/Glob-*  
23 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
24 *of the Balanced Budget and Emergency Deficit Control Act*  
25 *of 1985.*

1                    *AIRCRAFT PROCUREMENT, NAVY*

2            *For an additional amount for “Aircraft Procurement,*  
3 *Navy”, \$215,698,000, to remain available until September*  
4 *30, 2015: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9                    *WEAPONS PROCUREMENT, NAVY*

10          *For an additional amount for “Weapons Procurement,*  
11 *Navy”, \$22,500,000, to remain available until September*  
12 *30, 2015: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

17          *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

18                    *CORPS*

19          *For an additional amount for “Procurement of Am-*  
20 *munition, Navy and Marine Corps”, \$283,059,000, to re-*  
21 *main available until September 30, 2015: Provided, That*  
22 *such amount is designated by the Congress for Overseas*  
23 *Contingency Operations/Global War on Terrorism pursu-*  
24 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
25 *Emergency Deficit Control Act of 1985.*

1 *OTHER PROCUREMENT, NAVY*

2 *For an additional amount for “Other Procurement,*  
3 *Navy”, \$98,882,000, to remain available until September*  
4 *30, 2015: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9 *PROCUREMENT, MARINE CORPS*

10 *For an additional amount for “Procurement, Marine*  
11 *Corps”, \$822,054,000, to remain available until September*  
12 *30, 2015: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

17 *AIRCRAFT PROCUREMENT, AIR FORCE*

18 *For an additional amount for “Aircraft Procurement,*  
19 *Air Force”, \$305,600,000, to remain available until Sep-*  
20 *tember 30, 2015: Provided, That such amount is designated*  
21 *by the Congress for Overseas Contingency Operations/Glob-*  
22 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
23 *of the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*

1                    *MISSILE PROCUREMENT, AIR FORCE*

2            *For an additional amount for “Missile Procurement,*  
3 *Air Force”, \$34,350,000, to remain available until Sep-*  
4 *tember 30, 2015: Provided, That such amount is designated*  
5 *by the Congress for Overseas Contingency Operations/Glob-*  
6 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
7 *of the Balanced Budget and Emergency Deficit Control Act*  
8 *of 1985.*

9                    *PROCUREMENT OF AMMUNITION, AIR FORCE*

10          *For an additional amount for “Procurement of Am-*  
11 *munition, Air Force”, \$116,203,000, to remain available*  
12 *until September 30, 2015: Provided, That such amount is*  
13 *designated by the Congress for Overseas Contingency Oper-*  
14 *ations/Global War on Terrorism pursuant to section*  
15 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
16 *Deficit Control Act of 1985.*

17                    *OTHER PROCUREMENT, AIR FORCE*

18          *For an additional amount for “Other Procurement,*  
19 *Air Force”, \$2,680,270,000, to remain available until Sep-*  
20 *tember 30, 2015: Provided, That such amount is designated*  
21 *by the Congress for Overseas Contingency Operations/Glob-*  
22 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
23 *of the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*



1                    *PROCUREMENT, DEFENSE-WIDE*

2            *For an additional amount for “Procurement, Defense-*  
3 *Wide”, \$188,099,000, to remain available until September*  
4 *30, 2015: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9                    *NATIONAL GUARD AND RESERVE EQUIPMENT*

10          *For procurement of aircraft, missiles, tracked combat*  
11 *vehicles, ammunition, other weapons and other procure-*  
12 *ment for the reserve components of the Armed Forces,*  
13 *\$1,500,000,000, to remain available for obligation until*  
14 *September 30, 2015: Provided, That the Chiefs of National*  
15 *Guard and Reserve components shall, not later than 30*  
16 *days after the enactment of this Act, individually submit*  
17 *to the congressional defense committees the modernization*  
18 *priority assessment for their respective National Guard or*  
19 *Reserve component: Provided further, That such amount is*  
20 *designated by the Congress for Overseas Contingency Oper-*  
21 *ations/Global War on Terrorism pursuant to section*  
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
23 *Deficit Control Act of 1985.*

1            *RESEARCH, DEVELOPMENT, TEST AND*  
2                            *EVALUATION*

3    *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

4            *For an additional amount for “Research, Develop-*  
5    *ment, Test and Evaluation, Army”, \$29,660,000, to remain*  
6    *available until September 30, 2014: Provided, That such*  
7    *amount is designated by the Congress for Overseas Contin-*  
8    *gency Operations/Global War on Terrorism pursuant to sec-*  
9    *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
10   *gency Deficit Control Act of 1985.*

11   *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

12           *For an additional amount for “Research, Develop-*  
13   *ment, Test and Evaluation, Navy”, \$52,519,000, to remain*  
14   *available until September 30, 2014: Provided, That such*  
15   *amount is designated by the Congress for Overseas Contin-*  
16   *gency Operations/Global War on Terrorism pursuant to sec-*  
17   *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
18   *gency Deficit Control Act of 1985.*

19   *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
20                            *FORCE*

21           *For an additional amount for “Research, Develop-*  
22   *ment, Test and Evaluation, Air Force”, \$53,150,000, to re-*  
23   *main available until September 30, 2014: Provided, That*  
24   *such amount is designated by the Congress for Overseas*  
25   *Contingency Operations/Global War on Terrorism pursu-*

1 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
 2 *Emergency Deficit Control Act of 1985.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
 4 *DEFENSE-WIDE*

5 *For an additional amount for “Research, Develop-*  
 6 *ment, Test and Evaluation, Defense-Wide”, \$112,387,000,*  
 7 *to remain available until September 30, 2014: Provided,*  
 8 *That such amount is designated by the Congress for Over-*  
 9 *seas Contingency Operations/Global War on Terrorism pur-*  
 10 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
 11 *and Emergency Deficit Control Act of 1985.*

12 *REVOLVING AND MANAGEMENT FUNDS*

13 *DEFENSE WORKING CAPITAL FUNDS*

14 *For an additional amount for “Defense Working Cap-*  
 15 *ital Funds”, \$243,600,000: Provided, That such amount is*  
 16 *designated by the Congress for Overseas Contingency Oper-*  
 17 *ations/Global War on Terrorism pursuant to section*  
 18 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 19 *Deficit Control Act of 1985.*

20 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

21 *DEFENSE HEALTH PROGRAM*

22 *For an additional amount for “Defense Health Pro-*  
 23 *gram”, \$993,898,000, which shall be for operation and*  
 24 *maintenance: Provided, That such amount is designated by*  
 25 *the Congress for Overseas Contingency Operations/Global*

1 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
2 *the Balanced Budget and Emergency Deficit Control Act*  
3 *of 1985.*

4 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*  
5 *DEFENSE*

6 *For an additional amount for “Drug Interdiction and*  
7 *Counter-Drug Activities, Defense”, \$469,025,000, to remain*  
8 *available until September 30, 2014: Provided, That such*  
9 *amount is designated by the Congress for Overseas Contin-*  
10 *gency Operations/Global War on Terrorism pursuant to sec-*  
11 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
12 *gency Deficit Control Act of 1985.*

13 *JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*  
14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For the “Joint Improvised Explosive Device Defeat*  
16 *Fund”, \$1,622,614,000, to remain available until Sep-*  
17 *tember 30, 2015: Provided, That such funds shall be avail-*  
18 *able to the Secretary of Defense, notwithstanding any other*  
19 *provision of law, for the purpose of allowing the Director*  
20 *of the Joint Improvised Explosive Device Defeat Organiza-*  
21 *tion to investigate, develop and provide equipment, sup-*  
22 *plies, services, training, facilities, personnel and funds to*  
23 *assist United States forces in the defeat of improvised explo-*  
24 *sive devices: Provided further, That the Secretary of Defense*  
25 *may transfer funds provided herein to appropriations for*

1 military personnel; operation and maintenance; procure-  
 2 ment; research, development, test and evaluation; and de-  
 3 fense working capital funds to accomplish the purpose pro-  
 4 vided herein: Provided further, That this transfer authority  
 5 is in addition to any other transfer authority available to  
 6 the Department of Defense: Provided further, That the Sec-  
 7 retary of Defense shall, not fewer than 15 days prior to  
 8 making transfers from this appropriation, notify the con-  
 9 gressional defense committees in writing of the details of  
 10 any such transfer: Provided further, That such amount is  
 11 designated by the Congress for Overseas Contingency Oper-  
 12 ations/Global War on Terrorism pursuant to section  
 13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
 14 Deficit Control Act of 1985.

15 *OFFICE OF THE INSPECTOR GENERAL*

16 *For an additional amount for the “Office of the Inspec-*  
 17 *tor General”, \$10,766,000: Provided, That such amount is*  
 18 *designated by the Congress for Overseas Contingency Oper-*  
 19 *ations/Global War on Terrorism pursuant to section*  
 20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 21 *Deficit Control Act of 1985.*

22 *GENERAL PROVISIONS—THIS TITLE*

23 *SEC. 9001. Notwithstanding any other provision of*  
 24 *law, funds made available in this title are in addition to*

1 *amounts appropriated or otherwise made available for the*  
2 *Department of Defense for fiscal year 2013.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 9002. Upon the determination of the Secretary*  
5 *of Defense that such action is necessary in the national in-*  
6 *terest, the Secretary may, with the approval of the Office*  
7 *of Management and Budget, transfer up to \$3,500,000,000*  
8 *between the appropriations or funds made available to the*  
9 *Department of Defense in this title: Provided, That the Sec-*  
10 *retary shall notify the Congress promptly of each transfer*  
11 *made pursuant to the authority in this section: Provided*  
12 *further, That the authority provided in this section is in*  
13 *addition to any other transfer authority available to the*  
14 *Department of Defense and is subject to the same terms and*  
15 *conditions as the authority provided in the Department of*  
16 *Defense Appropriations Act, 2013.*

17 *SEC. 9003. Supervision and administration costs asso-*  
18 *ciated with a construction project funded with appropria-*  
19 *tions available for operation and maintenance, “Afghani-*  
20 *stan Infrastructure Fund”, or the “Afghanistan Security*  
21 *Forces Fund” provided in this Act and executed in direct*  
22 *support of overseas contingency operations in Afghanistan,*  
23 *may be obligated at the time a construction contract is*  
24 *awarded: Provided, That for the purpose of this section, su-*

1 *pervision and administration costs include all in-house*  
2 *Government costs.*

3       *SEC. 9004. From funds made available in this title,*  
4 *the Secretary of Defense may purchase for use by military*  
5 *and civilian employees of the Department of Defense in the*  
6 *U.S. Central Command area of responsibility: (a) passenger*  
7 *motor vehicles up to a limit of \$75,000 per vehicle; and*  
8 *(b) heavy and light armored vehicles for the physical secu-*  
9 *rity of personnel or for force protection purposes up to a*  
10 *limit of \$250,000 per vehicle, notwithstanding price or*  
11 *other limitations applicable to the purchase of passenger*  
12 *carrying vehicles.*

13       *SEC. 9005. Not to exceed \$200,000,000 of the amount*  
14 *appropriated in this title under the heading “Operation*  
15 *and Maintenance, Army” may be used, notwithstanding*  
16 *any other provision of law, to fund the Commander’s Emer-*  
17 *gency Response Program (CERP), for the purpose of ena-*  
18 *bling military commanders in Afghanistan to respond to*  
19 *urgent, small-scale, humanitarian relief and reconstruction*  
20 *requirements within their areas of responsibility: Provided,*  
21 *That each project (including any ancillary or related ele-*  
22 *ments in connection with such project) executed under this*  
23 *authority shall not exceed \$20,000,000: Provided further,*  
24 *That not later than 45 days after the end of each fiscal*  
25 *year quarter, the Secretary of Defense shall submit to the*

1 congressional defense committees a report regarding the  
2 source of funds and the allocation and use of funds during  
3 that quarter that were made available pursuant to the au-  
4 thority provided in this section or under any other provi-  
5 sion of law for the purposes described herein: Provided fur-  
6 ther, That, not later than 30 days after the end of each  
7 month, the Army shall submit to the congressional defense  
8 committees monthly commitment, obligation, and expendi-  
9 ture data for the Commander's Emergency Response Pro-  
10 gram in Afghanistan: Provided further, That not less than  
11 15 days before making funds available pursuant to the au-  
12 thority provided in this section or under any other provi-  
13 sion of law for the purposes described herein for a project  
14 with a total anticipated cost for completion of \$5,000,000  
15 or more, the Secretary shall submit to the congressional de-  
16 fense committees a written notice containing each of the fol-  
17 lowing:

18           (1) The location, nature and purpose of the pro-  
19 posed project, including how the project is intended to  
20 advance the military campaign plan for the country  
21 in which it is to be carried out.

22           (2) The budget, implementation timeline with  
23 milestones, and completion date for the proposed  
24 project, including any other CERP funding that has



1        *been or is anticipated to be contributed to the comple-*  
2        *tion of the project.*

3            (3) *A plan for the sustainment of the proposed*  
4        *project, including the agreement with either the host*  
5        *nation, a non-Department of Defense agency of the*  
6        *United States Government or a third-party contrib-*  
7        *utor to finance the sustainment of the activities and*  
8        *maintenance of any equipment or facilities to be pro-*  
9        *vided through the proposed project.*

10        *SEC. 9006. Funds available to the Department of De-*  
11        *fense for operation and maintenance may be used, notwith-*  
12        *standing any other provision of law, to provide supplies,*  
13        *services, transportation, including airlift and sealift, and*  
14        *other logistical support to coalition forces supporting mili-*  
15        *tary and stability operations in Afghanistan: Provided,*  
16        *That the Secretary of Defense shall provide quarterly re-*  
17        *ports to the congressional defense committees regarding sup-*  
18        *port provided under this section.*

19        *SEC. 9007. None of the funds appropriated or other-*  
20        *wise made available by this or any other Act shall be obli-*  
21        *gated or expended by the United States Government for a*  
22        *purpose as follows:*

23            (1) *To establish any military installation or base*  
24        *for the purpose of providing for the permanent sta-*  
25        *tioning of United States Armed Forces in Iraq.*

1           (2) *To exercise United States control over any*  
2       *oil resource of Iraq.*

3           (3) *To establish any military installation or base*  
4       *for the purpose of providing for the permanent sta-*  
5       *tioning of United States Armed Forces in Afghani-*  
6       *stan.*

7       *SEC. 9008. None of the funds made available in this*  
8       *Act may be used in contravention of the following laws en-*  
9       *acted or regulations promulgated to implement the United*  
10       *Nations Convention Against Torture and Other Cruel, In-*  
11       *human or Degrading Treatment or Punishment (done at*  
12       *New York on December 10, 1984):*

13           (1) *Section 2340A of title 18, United States*  
14       *Code.*

15           (2) *Section 2242 of the Foreign Affairs Reform*  
16       *and Restructuring Act of 1998 (division G of Public*  
17       *Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231*  
18       *note) and regulations prescribed thereto, including*  
19       *regulations under part 208 of title 8, Code of Federal*  
20       *Regulations, and part 95 of title 22, Code of Federal*  
21       *Regulations.*

22           (3) *Sections 1002 and 1003 of the Department of*  
23       *Defense, Emergency Supplemental Appropriations to*  
24       *Address Hurricanes in the Gulf of Mexico, and Pan-*  
25       *demic Influenza Act, 2006 (Public Law 109–148).*

1       *SEC. 9009. None of the funds provided for the “Afghan-*  
2 *istan Security Forces Fund” (ASFF) may be obligated*  
3 *prior to the approval of a financial and activity plan by*  
4 *the Afghanistan Resources Oversight Council (AROC) of the*  
5 *Department of Defense: Provided, That the AROC must ap-*  
6 *prove the requirement and acquisition plan for any service*  
7 *requirements in excess of \$50,000,000 annually and any*  
8 *non-standard equipment requirements in excess of*  
9 *\$100,000,000 using ASFF: Provided further, That the*  
10 *AROC must approve all projects and the execution plan*  
11 *under the “Afghanistan Infrastructure Fund” (AIF) and*  
12 *any project in excess of \$5,000,000 from the Commanders*  
13 *Emergency Response Program (CERP): Provided further,*  
14 *That the Department of Defense must certify to the congres-*  
15 *sional defense committees that the AROC has convened and*  
16 *approved a process for ensuring compliance with the re-*  
17 *quirements in the preceding provisos and accompanying re-*  
18 *port language for the ASFF, AIF, and CERP.*

19       *SEC. 9010. Funds made available in this title to the*  
20 *Department of Defense for operation and maintenance may*  
21 *be used to purchase items having an investment unit cost*  
22 *of not more than \$250,000: Provided, That, upon deter-*  
23 *mination by the Secretary of Defense that such action is*  
24 *necessary to meet the operational requirements of a Com-*  
25 *mander of a Combatant Command engaged in contingency*

1 operations overseas, such funds may be used to purchase  
2 items having an investment item unit cost of not more than  
3 \$500,000.

4       *SEC. 9011. Notwithstanding any other provision of*  
5 *law, up to \$93,000,000 of funds made available in this title*  
6 *under the heading “Operation and Maintenance, Army”*  
7 *may be obligated and expended for purposes of the Task*  
8 *Force for Business and Stability Operations, subject to the*  
9 *direction and control of the Secretary of Defense, with con-*  
10 *currence of the Secretary of State, to carry out strategic*  
11 *business and economic assistance activities in Afghanistan*  
12 *in support of Operation Enduring Freedom: Provided, That*  
13 *not less than 15 days before making funds available pursu-*  
14 *ant to the authority provided in this section for any project*  
15 *with a total anticipated cost of \$5,000,000 or more, the Sec-*  
16 *retary shall submit to the congressional defense committees*  
17 *a written notice containing a detailed justification and*  
18 *timeline for each proposed project.*

19       *SEC. 9012. From funds made available to the Depart-*  
20 *ment of Defense in this title under the heading “Operation*  
21 *and Maintenance, Air Force” up to \$508,000,000 may be*  
22 *used by the Secretary of Defense, notwithstanding any other*  
23 *provision of law, to support United States Government*  
24 *transition activities in Iraq by funding the operations and*  
25 *activities of the Office of Security Cooperation in Iraq and*

1 security assistance teams, including life support, transpor-  
2 tation and personal security, and facilities renovation and  
3 construction: *Provided, That to the extent authorized under*  
4 *the National Defense Authorization Act for Fiscal Year*  
5 *2013, the operations and activities that may be carried out*  
6 *by the Office of Security Cooperation in Iraq may, with*  
7 *the concurrence of the Secretary of State, include non-oper-*  
8 *ational training activities in support of Iraqi Ministry of*  
9 *Defense and Counter Terrorism Service personnel in an in-*  
10 *stitutional environment to address capability gaps, inte-*  
11 *grate processes relating to intelligence, air sovereignty, com-*  
12 *bined arms, logistics and maintenance, and to manage and*  
13 *integrate defense-related institutions: Provided further,*  
14 *That not later than 30 days following the enactment of this*  
15 *Act, the Secretary of Defense and the Secretary of State*  
16 *shall submit to the congressional defense committees a plan*  
17 *for transitioning any such training activities that they de-*  
18 *termine are needed after the end of fiscal year 2013, to exist-*  
19 *ing or new contracts for the sale of defense articles or de-*  
20 *fense services consistent with the provisions of the Arms Ex-*  
21 *port Control Act (22 U.S.C. 2751 et seq.): Provided further,*  
22 *That not less than 15 days before making funds available*  
23 *pursuant to the authority provided in this section, the Sec-*  
24 *retary of Defense shall submit to the congressional defense*  
25 *committees a written notification containing a detailed jus-*

1 *tification and timeline for the operations and activities of*  
 2 *the Office of Security Cooperation in Iraq at each site where*  
 3 *such operations and activities will be conducted during fis-*  
 4 *cal year 2013.*

5 *(RESCISSIONS)*

6 *SEC. 9013. Of the funds appropriated in Department*  
 7 *of Defense Appropriations Acts, the following funds are*  
 8 *hereby rescinded from the following accounts and programs*  
 9 *in the specified amounts: Provided, That such amounts are*  
 10 *designated by the Congress for Overseas Contingency Oper-*  
 11 *ations/Global War on Terrorism pursuant to section*  
 12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 13 *Deficit Control Act of 1985:*

14 *“Retroactive Stop Loss Special Pay Program,*  
 15 *2009/XXXX”, \$127,200,000;*

16 *“Afghanistan Security Forces Fund, 2012/2013”,*  
 17 *\$1,000,000,000;*

18 *“Other Procurement, Army, 2012/2014”,*  
 19 *\$207,600,000;*

20 *“Procurement of Ammunition, Navy and Marine*  
 21 *Corps, 2012/2014”, \$32,176,000;*

22 *“Procurement, Marine Corps, 2012/2014”,*  
 23 *\$2,776,000;*

24 *“Mine Resistant Ambush Protected Vehicle Fund,*  
 25 *2012/2013”, \$400,000,000;*

1           *“Research, Development, Test and Evaluation,*  
2           *Air Force, 2012/2013”, \$50,000,000;*

3           *“Joint Improvised Explosive Device Defeat*  
4           *Fund, 2012/2014”, \$40,300,000.*

5           *SEC. 9014. (a) None of the funds appropriated or oth-*  
6           *erwise made available by this Act under the heading “Oper-*  
7           *ation and Maintenance, Defense-Wide” for payments under*  
8           *section 1233 of Public Law 110–181 for reimbursement to*  
9           *the Government of Pakistan may be made available unless*  
10          *the Secretary of Defense, in coordination with the Secretary*  
11          *of State, certifies to the Committees on Appropriations that*  
12          *the Government of Pakistan is—*

13                 *(1) cooperating with the United States in*  
14                 *counterterrorism efforts against the Haqqani Network,*  
15                 *the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-*  
16                 *e-Mohammed, Al Qaeda, and other domestic and for-*  
17                 *eign terrorist organizations, including taking steps to*  
18                 *end support for such groups and prevent them from*  
19                 *basing and operating in Pakistan and carrying out*  
20                 *cross border attacks into neighboring countries;*

21                 *(2) not supporting terrorist activities against*  
22                 *United States or coalition forces in Afghanistan, and*  
23                 *Pakistan’s military and intelligence agencies are not*  
24                 *intervening extra-judicially into political and judicial*  
25                 *processes in Pakistan;*

1           (3) dismantling improvised explosive device  
2           (IED) networks and interdicting precursor chemicals  
3           used in the manufacture of IEDs;

4           (4) preventing the proliferation of nuclear-re-  
5           lated material and expertise;

6           (5) issuing visas in a timely manner for United  
7           States visitors engaged in counterterrorism efforts and  
8           assistance programs in Pakistan; and

9           (6) providing humanitarian organizations access  
10          to detainees, internally displaced persons, and other  
11          Pakistani civilians affected by the conflict.

12          (b) The Secretary of Defense, in coordination with the  
13          Secretary of State, may waive the restriction in paragraph  
14          (a) on a case-by-case basis by certifying in writing to the  
15          Committees on Appropriations of the House of Representa-  
16          tives and the Senate that it is in the national security inter-  
17          est to do so: Provided, That if the Secretary of Defense, in  
18          coordination with the Secretary of State, exercises the au-  
19          thority of the previous proviso, the Secretaries shall report  
20          to the Committees on Appropriations on both the justifica-  
21          tion for the waiver and on the requirements of this section  
22          that the Government of Pakistan was not able to meet: Pro-  
23          vided further, That such report may be submitted in classi-  
24          fied form if necessary.



1        *This division may be cited as the “Department of De-*  
2 *fense Appropriations Act, 2013”.*

3        ***DIVISION D—DEPARTMENT OF HOMELAND***  
4        ***SECURITY APPROPRIATIONS ACT, 2013***

5        *The following sums are hereby appropriated, out of*  
6 *any money in the Treasury not otherwise appropriated, for*  
7 *the Department of Homeland Security for the fiscal year*  
8 *ending September 30, 2013, and for other purposes, namely:*

9                                ***TITLE I***

10                              ***DEPARTMENTAL MANAGEMENT AND***

11                                        ***OPERATIONS***

12    ***DEPARTMENTAL OPERATIONS***

13    ***OFFICE OF THE SECRETARY AND EXECUTIVE***

14    ***MANAGEMENT***

15        *For necessary expenses of the Office of the Secretary*  
16 *of Homeland Security, as authorized by section 102 of the*  
17 *Homeland Security Act of 2002 (6 U.S.C. 112), and execu-*  
18 *tive management of the Department of Homeland Security,*  
19 *as authorized by law, \$130,000,000: Provided, That not to*  
20 *exceed \$45,000 shall be for official reception and representa-*  
21 *tion expenses: Provided further, That all official costs asso-*  
22 *ciated with the use of government aircraft by Department*  
23 *of Homeland Security personnel to support official travel*  
24 *of the Secretary and the Deputy Secretary shall be paid*  
25 *from amounts made available for the Immediate Office of*

1 *the Secretary and the Immediate Office of the Deputy Sec-*  
2 *retary: Provided further, That the Secretary shall submit*  
3 *to the Committees on Appropriations of the Senate and the*  
4 *House of Representatives, not later than 90 days after the*  
5 *date of enactment of this Act, expenditure plans for the Of-*  
6 *fice of Policy, the Office for Intergovernmental Affairs, the*  
7 *Office for Civil Rights and Civil Liberties, the Citizenship*  
8 *and Immigration Services Ombudsman, and the Privacy*  
9 *Officer.*

10 *OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT*

11 *For necessary expenses of the Office of the Under Sec-*  
12 *retary for Management, as authorized by sections 701*  
13 *through 705 of the Homeland Security Act of 2002 (6*  
14 *U.S.C. 341 through 345), \$218,511,000, of which not to ex-*  
15 *ceed \$2,250 shall be for official reception and representation*  
16 *expenses: Provided, That of the total amount made available*  
17 *under this heading, \$5,448,000 shall remain available until*  
18 *September 30, 2017, solely for the alteration and improve-*  
19 *ment of facilities, tenant improvements, and relocation costs*  
20 *to consolidate Department headquarters operations at the*  
21 *Nebraska Avenue Complex; and \$9,680,000 shall remain*  
22 *available until September 30, 2015, for the Human Re-*  
23 *sources Information Technology program: Provided further,*  
24 *That the Under Secretary for Management shall, pursuant*  
25 *to the requirements contained in House Report 112–331,*

1 *submit to the Committees on Appropriations of the Senate*  
2 *and the House of Representatives with the President's budg-*  
3 *et proposal for fiscal year 2014, submitted pursuant to the*  
4 *requirements of section 1105(a) of title 31, United States*  
5 *Code, a Comprehensive Acquisition Status Report, which*  
6 *shall include the information required under the heading*  
7 *"Office of the Under Secretary for Management" under title*  
8 *I of division D of the Consolidated Appropriations Act,*  
9 *2012 (Public Law 112-74), and quarterly updates to such*  
10 *report not later than 45 days after the completion of each*  
11 *quarter.*

12 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

13 *For necessary expenses of the Office of the Chief Finan-*  
14 *cial Officer, as authorized by section 103 of the Homeland*  
15 *Security Act of 2002 (6 U.S.C. 113), \$51,500,000, of which*  
16 *\$5,000,000 shall remain available until September 30,*  
17 *2014, for financial systems modernization efforts.*

18 *OFFICE OF THE CHIEF INFORMATION OFFICER*

19 *For necessary expenses of the Office of the Chief Infor-*  
20 *mation Officer, as authorized by section 103 of the Home-*  
21 *land Security Act of 2002 (6 U.S.C. 113), and Department-*  
22 *wide technology investments, \$243,732,000; of which*  
23 *\$118,000,000 shall be available for salaries and expenses;*  
24 *and of which \$125,732,000, to remain available until Sep-*  
25 *tember 30, 2015, shall be available for development and ac-*

1 *quisition of information technology equipment, software,*  
2 *services, and related activities for the Department of Home-*  
3 *land Security: Provided, That the Department of Homeland*  
4 *Security Chief Information Officer shall submit to the Com-*  
5 *mittees on Appropriations of the Senate and the House of*  
6 *Representatives, at the time that the President's budget is*  
7 *submitted each year under section 1105(a) of title 31,*  
8 *United States Code, a multi-year investment and manage-*  
9 *ment plan, to include each of fiscal years 2013 through*  
10 *2016, for all information technology acquisition projects*  
11 *funded under this heading or funded by multiple compo-*  
12 *nents of the Department of Homeland Security through re-*  
13 *imbursable agreements, that includes—*

14           (1) *the proposed appropriations included for*  
15 *each project and activity tied to mission require-*  
16 *ments, program management capabilities, perform-*  
17 *ance levels, and specific capabilities and services to be*  
18 *delivered;*

19           (2) *the total estimated cost and projected*  
20 *timeline of completion for all multi-year enhance-*  
21 *ments, modernizations, and new capabilities that are*  
22 *proposed in such budget or underway;*

23           (3) *a detailed accounting of operations and*  
24 *maintenance and contractor services costs; and*

1           (4) a current acquisition program baseline for  
2 each project, that—

3           (A) notes and explains any deviations in  
4 cost, performance parameters, schedule, or esti-  
5 mated date of completion from the original ac-  
6 quisition program baseline;

7           (B) aligns the acquisition programs covered  
8 by the baseline to mission requirements by defin-  
9 ing existing capabilities, identifying known ca-  
10 pability gaps between such existing capabilities  
11 and stated mission requirements, and explaining  
12 how each increment will address such known ca-  
13 pability gaps; and

14           (C) defines life-cycle costs for such pro-  
15 grams.

16           ANALYSIS AND OPERATIONS

17       For necessary expenses for intelligence analysis and  
18 operations coordination activities, as authorized by title II  
19 of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.),  
20 \$322,280,000; of which not to exceed \$3,825 shall be for offi-  
21 cial reception and representation expenses; and of which  
22 \$94,359,000 shall remain available until September 30,  
23 2014.

1 *OFFICE OF INSPECTOR GENERAL*

2 *For necessary expenses of the Office of Inspector Gen-*  
3 *eral in carrying out the provisions of the Inspector General*  
4 *Act of 1978 (5 U.S.C. App.), \$121,164,000, of which not*  
5 *to exceed \$300,000 may be used for certain confidential*  
6 *operational expenses, including the payment of informants,*  
7 *to be expended at the direction of the Inspector General.*

8 *TITLE II*9 *SECURITY, ENFORCEMENT, AND INVESTIGATIONS*10 *U.S. CUSTOMS AND BORDER PROTECTION*11 *SALARIES AND EXPENSES*

12 *For necessary expenses for enforcement of laws relating*  
13 *to border security, immigration, customs, agricultural in-*  
14 *spections and regulatory activities related to plant and ani-*  
15 *mal imports, and transportation of unaccompanied minor*  
16 *aliens; purchase and lease of up to 7,500 (6,500 for replace-*  
17 *ment only) police-type vehicles; and contracting with indi-*  
18 *viduals for personal services abroad; \$8,293,351,000; of*  
19 *which \$3,274,000 shall be derived from the Harbor Mainte-*  
20 *nance Trust Fund for administrative expenses related to the*  
21 *collection of the Harbor Maintenance Fee pursuant to sec-*  
22 *tion 9505(c)(3) of the Internal Revenue Code of 1986 (26*  
23 *U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1)*  
24 *of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1));*  
25 *of which not to exceed \$34,425 shall be for official reception*

1 *and representation expenses; of which such sums as become*  
2 *available in the Customs User Fee Account, except sums*  
3 *subject to section 13031(f)(3) of the Consolidated Omnibus*  
4 *Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)),*  
5 *shall be derived from that account; of which not to exceed*  
6 *\$150,000 shall be available for payment for rental space*  
7 *in connection with preclearance operations; and of which*  
8 *not to exceed \$1,000,000 shall be for awards of compensa-*  
9 *tion to informants, to be accounted for solely under the cer-*  
10 *tificate of the Secretary of Homeland Security: Provided,*  
11 *That for fiscal year 2013, the overtime limitation prescribed*  
12 *in section 5(c)(1) of the Act of February 13, 1911 (19*  
13 *U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding*  
14 *any other provision of law, none of the funds appropriated*  
15 *by this Act shall be available to compensate any employee*  
16 *of U.S. Customs and Border Protection for overtime, from*  
17 *whatever source, in an amount that exceeds such limitation,*  
18 *except in individual cases determined by the Secretary of*  
19 *Homeland Security, or the designee of the Secretary, to be*  
20 *necessary for national security purposes, to prevent exces-*  
21 *sive costs, or in cases of immigration emergencies: Provided*  
22 *further, That the Border Patrol shall maintain an active*  
23 *duty presence of not less than 21,370 full-time equivalent*  
24 *agents protecting the borders of the United States in the*  
25 *fiscal year.*

1                    *AUTOMATION MODERNIZATION*

2            *For necessary expenses for U.S. Customs and Border*  
3 *Protection for operation and improvement of automated*  
4 *systems, including salaries and expenses, \$719,866,000; of*  
5 *which \$325,526,000 shall remain available until September*  
6 *30, 2015; and of which not less than \$138,794,000 shall be*  
7 *for the development of the Automated Commercial Environ-*  
8 *ment.*

9                    *BORDER SECURITY FENCING, INFRASTRUCTURE, AND*10                    *TECHNOLOGY*

11           *For expenses for border security fencing, infrastruc-*  
12 *ture, and technology, \$324,099,000, to remain available*  
13 *until September 30, 2015.*

14                    *AIR AND MARINE OPERATIONS*

15           *For necessary expenses for the operations, mainte-*  
16 *nance, and procurement of marine vessels, aircraft, un-*  
17 *manned aircraft systems, and other related equipment of*  
18 *the air and marine program, including salaries and ex-*  
19 *penses and operational training and mission-related travel,*  
20 *the operations of which include the following: the interdic-*  
21 *tion of narcotics and other goods; the provision of support*  
22 *to Federal, State, and local agencies in the enforcement or*  
23 *administration of laws enforced by the Department of*  
24 *Homeland Security; and, at the discretion of the Secretary*  
25 *of Homeland Security, the provision of assistance to Fed-*



1 eral, State, and local agencies in other law enforcement and  
2 emergency humanitarian efforts; \$799,006,000; of which  
3 \$283,570,000 shall be available for salaries and expenses;  
4 and of which \$515,436,000 shall remain available until  
5 September 30, 2015: Provided, That no aircraft or other  
6 related equipment, with the exception of aircraft that are  
7 one of a kind and have been identified as excess to U.S.  
8 Customs and Border Protection requirements and aircraft  
9 that have been damaged beyond repair, shall be transferred  
10 to any other Federal agency, department, or office outside  
11 of the Department of Homeland Security during fiscal year  
12 2013 without prior notice to the Committees on Appropria-  
13 tions of the Senate and the House of Representatives: Pro-  
14 vided further, That the Secretary of Homeland Security  
15 shall report to the Committees on Appropriations of the  
16 Senate and the House of Representatives, not later than 90  
17 days after the date of enactment of this Act, on any changes  
18 to the 5-year strategic plan for the air and marine program  
19 required under this heading in Public Law 112–74.

20 CONSTRUCTION AND FACILITIES MANAGEMENT

21 For necessary expenses to plan, acquire, construct, ren-  
22 ovate, equip, furnish, operate, manage, and maintain build-  
23 ings, facilities, and related infrastructure necessary for the  
24 administration and enforcement of the laws relating to cus-  
25 toms, immigration, and border security, \$233,563,000, to

1 *remain available until September 30, 2017: Provided, That*  
2 *the Commissioner of U.S. Customs and Border Protection*  
3 *shall submit to the Committees on Appropriations of the*  
4 *Senate and the House of Representatives, at the time that*  
5 *the President's budget proposal is submitted pursuant to the*  
6 *requirements of section 1105(a) of title 31, United States*  
7 *Code, an inventory of the real property of U.S. Customs*  
8 *and Border Protection and a plan for each activity and*  
9 *project proposed for funding under this heading that in-*  
10 *cludes the full cost by fiscal year of each activity and project*  
11 *proposed and underway in fiscal year 2014.*

12 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses for enforcement of immigration*  
15 *and customs laws, detention and removals, and investiga-*  
16 *tions, including overseas vetted units operations; and pur-*  
17 *chase and lease of up to 3,790 (2,350 for replacement only)*  
18 *police-type vehicles; \$5,394,402,000; of which not to exceed*  
19 *\$10,000,000 shall be available until expended for con-*  
20 *ducting special operations under section 3131 of the Cus-*  
21 *toms Enforcement Act of 1986 (19 U.S.C. 2081); of which*  
22 *not to exceed \$11,475 shall be for official reception and rep-*  
23 *resentation expenses; of which not to exceed \$2,000,000 shall*  
24 *be for awards of compensation to informants, to be ac-*  
25 *counted for solely under the certificate of the Secretary of*

1 *Homeland Security; of which not less than \$305,000 shall*  
2 *be for promotion of public awareness of the child pornog-*  
3 *raphy tipline and activities to counter child exploitation;*  
4 *of which not less than \$5,400,000 shall be used to facilitate*  
5 *agreements consistent with section 287(g) of the Immigra-*  
6 *tion and Nationality Act (8 U.S.C. 1357(g)); and of which*  
7 *not to exceed \$11,216,000 shall be available to fund or reim-*  
8 *burse other Federal agencies for the costs associated with*  
9 *the care, maintenance, and repatriation of smuggled aliens*  
10 *unlawfully present in the United States: Provided, That*  
11 *none of the funds made available under this heading shall*  
12 *be available to compensate any employee for overtime in*  
13 *an annual amount in excess of \$35,000, except that the Sec-*  
14 *retary of Homeland Security, or the designee of the Sec-*  
15 *retary, may waive that amount as necessary for national*  
16 *security purposes and in cases of immigration emergencies:*  
17 *Provided further, That of the total amount provided,*  
18 *\$15,770,000 shall be for activities to enforce laws against*  
19 *forced child labor, of which not to exceed \$6,000,000 shall*  
20 *remain available until expended: Provided further, That of*  
21 *the total amount available, not less than \$1,600,000,000*  
22 *shall be available to identify aliens convicted of a crime*  
23 *who may be deportable, and to remove them from the United*  
24 *States once they are judged deportable, of which*  
25 *\$138,249,000 shall be for completion of Secure Communities*

1 *deployment: Provided further, That the Assistant Secretary*  
2 *of Homeland Security for U.S. Immigration and Customs*  
3 *Enforcement shall report to the Committees on Appropria-*  
4 *tions of the Senate and the House of Representatives, not*  
5 *later than 45 days after the end of each quarter of the fiscal*  
6 *year, on progress in implementing the preceding proviso*  
7 *and the funds obligated during that quarter to make such*  
8 *progress: Provided further, That the Secretary of Homeland*  
9 *Security shall prioritize the identification and removal of*  
10 *aliens convicted of a crime by the severity of that crime:*  
11 *Provided further, That funding made available under this*  
12 *heading shall maintain a level of not less than 34,000 deten-*  
13 *tion beds through September 30, 2013: Provided further,*  
14 *That of the total amount provided, not less than*  
15 *\$2,753,610,000 is for detention and removal operations, in-*  
16 *cluding transportation of unaccompanied minor aliens:*  
17 *Provided further, That of the total amount provided,*  
18 *\$10,300,000 shall remain available until September 30,*  
19 *2014, for the Visa Security Program: Provided further,*  
20 *That not less than \$10,000,000 shall be available for inves-*  
21 *tigation of intellectual property rights violations, including*  
22 *operation of the National Intellectual Property Rights Co-*  
23 *ordination Center: Provided further, That none of the funds*  
24 *provided under this heading may be used to continue a dele-*  
25 *gation of law enforcement authority authorized under sec-*

1 *tion 287(g) of the Immigration and Nationality Act (8*  
 2 *U.S.C. 1357(g)) if the Department of Homeland Security*  
 3 *Inspector General determines that the terms of the agree-*  
 4 *ment governing the delegation of authority have been vio-*  
 5 *lated: Provided further, That none of the funds provided*  
 6 *under this heading may be used to continue any contract*  
 7 *for the provision of detention services if the two most recent*  
 8 *overall performance evaluations received by the contracted*  
 9 *facility are less than “adequate” or the equivalent median*  
 10 *score in any subsequent performance evaluation system:*  
 11 *Provided further, That nothing under this heading shall*  
 12 *prevent U.S. Immigration and Customs Enforcement from*  
 13 *exercising those authorities provided under immigration*  
 14 *laws (as defined in section 101(a)(17) of the Immigration*  
 15 *and Nationality Act (8 U.S.C. 1101(a)(17))) during pri-*  
 16 *ority operations pertaining to aliens convicted of a crime.*

17 *AUTOMATION MODERNIZATION*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For expenses of immigration and customs enforcement*  
 20 *automated systems, \$33,500,000, to remain available until*  
 21 *September 30, 2015: Provided, That of the total amount*  
 22 *provided, up to \$1,000,000 may be transferred to the De-*  
 23 *partment of Justice Executive Office of Immigration Re-*  
 24 *view to improve case management and electronic commu-*  
 25 *nication with U.S. Immigration and Customs Enforcement:*

1 *Provided further, That no transfer described in the previous*  
 2 *proviso shall occur until 15 days after the Committees on*  
 3 *Appropriations of the Senate and the House of Representa-*  
 4 *tives are notified of such transfer.*

5 *CONSTRUCTION*

6 *For necessary expenses to plan, construct, renovate,*  
 7 *equip, and maintain buildings and facilities necessary for*  
 8 *the administration and enforcement of the laws relating to*  
 9 *customs and immigration, \$5,000,000, to remain available*  
 10 *until September 30, 2016.*

11 *TRANSPORTATION SECURITY ADMINISTRATION*

12 *AVIATION SECURITY*

13 *For necessary expenses of the Transportation Security*  
 14 *Administration related to providing civil aviation security*  
 15 *services pursuant to the Aviation and Transportation Secu-*  
 16 *rity Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C.*  
 17 *40101 note), \$5,052,620,000, to remain available until Sep-*  
 18 *tember 30, 2014, of which not to exceed \$7,650 shall be for*  
 19 *official reception and representation expenses: Provided,*  
 20 *That of the total amount made available under this head-*  
 21 *ing, not to exceed \$3,975,517,000 shall be for screening oper-*  
 22 *ations, of which \$408,930,000 shall be available for explo-*  
 23 *sives detection systems; \$115,204,000 shall be for checkpoint*  
 24 *support; and not to exceed \$1,077,103,000 shall be for avia-*  
 25 *tion security direction and enforcement: Provided further,*

1 *That of the amount made available in the preceding proviso*  
2 *for explosives detection systems, \$99,930,000 shall be avail-*  
3 *able for the purchase and installation of these systems: Pro-*  
4 *vided further, That any award to deploy explosives detec-*  
5 *tion systems shall be based on risk, the airport's current*  
6 *reliance on other screening solutions, lobby congestion re-*  
7 *sulting in increased security concerns, high injury rates,*  
8 *airport readiness, and increased cost effectiveness: Provided*  
9 *further, That security service fees authorized under section*  
10 *44940 of title 49, United States Code, shall be credited to*  
11 *this appropriation as offsetting collections and shall be*  
12 *available only for aviation security: Provided further, That*  
13 *the sum appropriated under this heading from the general*  
14 *fund shall be reduced on a dollar-for-dollar basis as such*  
15 *offsetting collections are received during fiscal year 2013*  
16 *so as to result in a final fiscal year appropriation from*  
17 *the general fund estimated at not more than*  
18 *\$2,982,620,000: Provided further, That any security service*  
19 *fees collected in excess of the amount made available under*  
20 *this heading shall become available during fiscal year 2014:*  
21 *Provided further, That notwithstanding section 44923 of*  
22 *title 49, United States Code, for fiscal year 2013, any funds*  
23 *in the Aviation Security Capital Fund established by sec-*  
24 *tion 44923(h) of title 49, United States Code, may be used*  
25 *for the procurement and installation of explosives detection*

1 *systems or for the issuance of other transaction agreements*  
2 *for the purpose of funding projects described in section*  
3 *44923(a) of such title: Provided further, That none of the*  
4 *funds made available in this Act may be used for any re-*  
5 *cruiting or hiring of personnel into the Transportation Se-*  
6 *curity Administration that would cause the agency to ex-*  
7 *ceed a staffing level of 46,000 full-time equivalent screeners:*  
8 *Provided further, That the preceding proviso shall not*  
9 *apply to personnel hired as part-time employees: Provided*  
10 *further, That not later than 90 days after the date of enact-*  
11 *ment of this Act, the Secretary of Homeland Security shall*  
12 *submit to the Committees on Appropriations of the Senate*  
13 *and the House of Representatives a detailed report on—*  
14 *(1) the Department of Homeland Security efforts*  
15 *and resources being devoted to develop more advanced*  
16 *integrated passenger screening technologies for the*  
17 *most effective security of passengers and baggage at*  
18 *the lowest possible operating and acquisition costs;*  
19 *(2) how the Transportation Security Adminis-*  
20 *tration is deploying its existing passenger and bag-*  
21 *gage screener workforce in the most cost effective man-*  
22 *ner; and*  
23 *(3) labor savings from the deployment of im-*  
24 *proved technologies for passenger and baggage screen-*  
25 *ing and how those savings are being used to offset se-*



1       curity costs or reinvested to address security  
2       vulnerabilities:

3   *Provided further, That the Administrator of the Transpor-*  
4   *tation Security Administration shall, within 270 days of*  
5   *the date of enactment of this Act, establish procedures allow-*  
6   *ing members of cabin flight crews of air carriers to partici-*  
7   *pate in the Known Crewmember pilot program, unless the*  
8   *Administrator determines that meeting the requirement*  
9   *within this timeline is not practicable and informs the*  
10   *Committees on Appropriations of the Senate and House of*  
11   *Representatives of the basis for that determination and the*  
12   *new timeline for implementing the requirement: Provided*  
13   *further, That Members of the United States House of Rep-*  
14   *resentatives and United States Senate, including the leader-*  
15   *ship; the heads of Federal agencies and commissions, in-*  
16   *cluding the Secretary, Deputy Secretary, Under Secretaries,*  
17   *and Assistant Secretaries of the Department of Homeland*  
18   *Security; the United States Attorney General, Deputy At-*  
19   *torney General, Assistant Attorneys General, and the*  
20   *United States Attorneys; and senior members of the Execu-*  
21   *tive Office of the President, including the Director of the*  
22   *Office of Management and Budget, shall not be exempt from*  
23   *Federal passenger and baggage screening.*

1                    *SURFACE TRANSPORTATION SECURITY*

2            *For necessary expenses of the Transportation Security*  
3 *Administration related to surface transportation security*  
4 *activities, \$124,418,000, to remain available until Sep-*  
5 *tember 30, 2014.*

6                    *TRANSPORTATION THREAT ASSESSMENT AND*  
7                    *CREDENTIALING*

8            *For necessary expenses for the development and imple-*  
9 *mentation of screening programs of the Office of Transpor-*  
10 *tation Threat Assessment and Credentialing, \$192,424,000,*  
11 *to remain available until September 30, 2014.*

12                    *TRANSPORTATION SECURITY SUPPORT*

13            *For necessary expenses of the Transportation Security*  
14 *Administration related to transportation security support*  
15 *and intelligence pursuant to the Aviation and Transpor-*  
16 *tation Security Act (Public Law 107–71; 115 Stat. 597;*  
17 *49 U.S.C. 40101 note), \$954,277,000, to remain available*  
18 *until September 30, 2014: Provided, That of the funds ap-*  
19 *propriated under this heading, \$20,000,000 may not be ob-*  
20 *ligated for headquarters administration until the Adminis-*  
21 *trator of the Transportation Security Administration sub-*  
22 *mits to the Committees on Appropriations of the Senate and*  
23 *the House of Representatives detailed expenditure plans for*  
24 *air cargo security, checkpoint support, and explosives detec-*  
25 *tion systems refurbishment, procurement, and installations*

1 *on an airport-by-airport basis for fiscal year 2013: Pro-*  
2 *vided further, That these plans shall be submitted not later*  
3 *than 60 days after the date of enactment of this Act.*

4 *FEDERAL AIR MARSHALS*

5 *For necessary expenses of the Federal Air Marshal*  
6 *Service, \$907,757,000: Provided, That the Director of the*  
7 *Federal Air Marshal Service shall submit to the Committees*  
8 *on Appropriations of the Senate and the House of Rep-*  
9 *resentatives not later than 45 days after the date of enact-*  
10 *ment of this Act a detailed, classified expenditure and staff-*  
11 *ing plan for ensuring optimal coverage of high risk flights.*

12 *COAST GUARD*

13 *OPERATING EXPENSES*

14 *For necessary expenses for the operation and mainte-*  
15 *nance of the Coast Guard, not otherwise provided for; pur-*  
16 *chase or lease of not to exceed 25 passenger motor vehicles,*  
17 *which shall be for replacement only; purchase or lease of*  
18 *small boats for contingent and emergent requirements (at*  
19 *a unit cost of no more than \$700,000) and repairs and serv-*  
20 *ice-life replacements, not to exceed a total of \$31,000,000;*  
21 *purchase or lease of boats necessary for overseas deploy-*  
22 *ments and activities; minor shore construction projects not*  
23 *exceeding \$1,000,000 in total cost on any location; pay-*  
24 *ments pursuant to section 156 of Public Law 97-377 (42*  
25 *U.S.C. 402 note; 96 Stat. 1920); and recreation and wel-*

1 fare; \$7,074,782,000; of which \$594,000,000 shall be for de-  
2 fense-related activities, of which \$254,000,000 is designated  
3 by the Congress for Overseas Contingency Operations/Glob-  
4 al War on Terrorism pursuant to section 251(b)(2)(A)(ii)  
5 of the Balanced Budget and Emergency Deficit Control Act  
6 of 1985; of which \$24,500,000 shall be derived from the Oil  
7 Spill Liability Trust Fund to carry out the purposes of sec-  
8 tion 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.  
9 2712(a)(5)); and of which not to exceed \$15,300 shall be  
10 for official reception and representation expenses: Provided,  
11 That none of the funds made available by this Act shall  
12 be for expenses incurred for recreational vessels under sec-  
13 tion 12114 of title 46, United States Code, except to the  
14 extent fees are collected from owners of yachts and credited  
15 to this appropriation: Provided further, That of the funds  
16 provided under this heading, \$75,000,000 shall be withheld  
17 from obligation for Coast Guard Headquarters Directorates  
18 until a revised future-years capital investment plan for fis-  
19 cal years 2014 through 2018, as specified under the heading  
20 Coast Guard “Acquisition, Construction, and Improve-  
21 ments” of this Act is submitted to the Committees on Appro-  
22 priations of the Senate and the House of Representatives:  
23 Provided further, That funds made available under this  
24 heading for Overseas Contingency Operations/Global War

1 *on Terrorism may be allocated by program, project, and*  
2 *activity, notwithstanding section 503 of this Act.*

3 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

4 *For necessary expenses to carry out the environmental*  
5 *compliance and restoration functions of the Coast Guard*  
6 *under chapter 19 of title 14, United States Code,*  
7 *\$13,151,000, to remain available until September 30, 2017.*

8 *RESERVE TRAINING*

9 *For necessary expenses of the Coast Guard Reserve, as*  
10 *authorized by law; operations and maintenance of the Coast*  
11 *Guard reserve program; personnel and training costs; and*  
12 *equipment and services; \$132,528,000.*

13 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

14 *For necessary expenses of acquisition, construction,*  
15 *renovation, and improvement of aids to navigation, shore*  
16 *facilities, vessels, and aircraft, including equipment related*  
17 *thereto; and maintenance, rehabilitation, lease and oper-*  
18 *ation of facilities and equipment; as authorized by law;*  
19 *\$1,545,393,000; of which \$20,000,000 shall be derived from*  
20 *the Oil Spill Liability Trust Fund to carry out the purposes*  
21 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*  
22 *U.S.C. 2712(a)(5)); of which \$10,000,000 shall remain*  
23 *available until September 30, 2017, for military family*  
24 *housing, of which not more than \$6,828,691 shall be derived*  
25 *from the Coast Guard Housing Fund established pursuant*

1 to 14 U.S.C. 687; of which \$1,082,800,000 shall be available  
2 until September 30, 2017, to acquire, effect major repairs  
3 to, renovate, or improve vessels, small boats, and related  
4 equipment; of which \$190,500,000 shall be available until  
5 September 30, 2017, to acquire, effect major repairs to, ren-  
6 ovate, or improve aircraft or increase aviation capability;  
7 of which \$64,000,000 shall be available until September 30,  
8 2017, for other acquisition programs; of which \$84,411,000  
9 shall be available until September 30, 2017, for shore facili-  
10 ties and aids to navigation, including waterfront facilities  
11 at Navy installations used by the Coast Guard; of which  
12 \$113,682,000 shall be available for personnel compensation  
13 and benefits and related costs: Provided, That the funds  
14 provided by this Act shall be immediately available and al-  
15 lotted to contract for the production of the sixth National  
16 Security Cutter notwithstanding the availability of funds  
17 for post-production costs: Provided further, That the funds  
18 provided by this Act shall be immediately available and al-  
19 lotted to contract for long lead time materials, components,  
20 and designs for the seventh National Security Cutter not-  
21 withstanding the availability of funds for production costs  
22 or post-production costs: Provided further, That the Com-  
23 mandant of the Coast Guard shall submit to the Committees  
24 on Appropriations of the Senate and the House of Rep-  
25 resentatives, at the time that the President's budget is sub-

1 *mitted each year under section 1105(a) of title 31, United*  
2 *States Code, a future-years capital investment plan for the*  
3 *Coast Guard that identifies for each requested capital*  
4 *asset—*

5 *(1) the proposed appropriations included in that*  
6 *budget;*

7 *(2) the total estimated cost of completion, includ-*  
8 *ing and clearly delineating the costs of associated*  
9 *major acquisition systems infrastructure and transi-*  
10 *tion to operations;*

11 *(3) projected funding levels for each fiscal year*  
12 *for the next 5 fiscal years or until acquisition pro-*  
13 *gram baseline or project completion, whichever is ear-*  
14 *lier;*

15 *(4) an estimated completion date at the projected*  
16 *funding levels; and*

17 *(5) a current acquisition program baseline for*  
18 *each capital asset, as applicable, that—*

19 *(A) includes the total acquisition cost of*  
20 *each asset, subdivided by fiscal year and includ-*  
21 *ing a detailed description of the purpose of the*  
22 *proposed funding levels for each fiscal year, in-*  
23 *cluding for each fiscal year funds requested for*  
24 *design, pre-acquisition activities, production,*

1        *structural modifications, missionization, post-de-*  
2        *livery, and transition to operations costs;*

3                *(B) includes a detailed project schedule*  
4        *through completion, subdivided by fiscal year,*  
5        *that details—*

6                        *(i) quantities planned for each fiscal*  
7                        *year; and*

8                        *(ii) major acquisition and project*  
9                        *events, including development of operational*  
10                        *requirements, contracting actions, design re-*  
11                        *views, production, delivery, test and evalua-*  
12                        *tion, and transition to operations, includ-*  
13                        *ing necessary training, shore infrastructure,*  
14                        *and logistics;*

15                *(C) notes and explains any deviations in*  
16        *cost, performance parameters, schedule, or esti-*  
17        *mated date of completion from the original ac-*  
18        *quisition program baseline and the most recent*  
19        *baseline approved by the Department of Home-*  
20        *land Security's Acquisition Review Board, if ap-*  
21        *plicable;*

22                *(D) aligns the acquisition of each asset to*  
23        *mission requirements by defining existing capa-*  
24        *bilities of comparable legacy assets, identifying*  
25        *known capability gaps between such existing ca-*



1            *pabilities and stated mission requirements, and*  
2            *explaining how the acquisition of each asset will*  
3            *address such known capability gaps;*

4            *(E) defines life-cycle costs for each asset and*  
5            *the date of the estimate on which such costs are*  
6            *based, including all associated costs of major ac-*  
7            *quisitions systems infrastructure and transition*  
8            *to operations, delineated by purpose and fiscal*  
9            *year for the projected service life of the asset;*

10           *(F) includes the earned value management*  
11           *system summary schedule performance index and*  
12           *cost performance index for each asset, if applica-*  
13           *ble; and*

14           *(G) includes a phase-out and decommis-*  
15           *sioning schedule delineated by fiscal year for*  
16           *each existing legacy asset that each asset is in-*  
17           *tended to replace or recapitalize:*

18 *Provided further, That the Commandant of the Coast Guard*  
19 *shall ensure that amounts specified in the future-years cap-*  
20 *ital investment plan are consistent, to the maximum extent*  
21 *practicable, with proposed appropriations necessary to sup-*  
22 *port the programs, projects, and activities of the Coast*  
23 *Guard in the President's budget as submitted under section*  
24 *1105(a) of title 31, United States Code, for that fiscal year:*

25 *Provided further, That any inconsistencies between the cap-*

1 *ital investment plan and proposed appropriations shall be*  
 2 *identified and justified: Provided further, That subsections*  
 3 *(a) and (b) of section 6402 of Public Law 110–28 shall*  
 4 *apply with respect to the amounts made available under*  
 5 *this heading.*

6        *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

7        *For necessary expenses for applied scientific research,*  
 8 *development, test, and evaluation; and for maintenance, re-*  
 9 *habilitation, lease, and operation of facilities and equip-*  
 10 *ment; as authorized by law; \$19,690,000, to remain avail-*  
 11 *able until September 30, 2017, of which \$500,000 shall be*  
 12 *derived from the Oil Spill Liability Trust Fund to carry*  
 13 *out the purposes of section 1012(a)(5) of the Oil Pollution*  
 14 *Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there*  
 15 *may be credited to and used for the purposes of this appro-*  
 16 *priation funds received from State and local governments,*  
 17 *other public authorities, private sources, and foreign coun-*  
 18 *tries for expenses incurred for research, development, test-*  
 19 *ing, and evaluation.*

20                                *RETIRED PAY*

21        *For retired pay, including the payment of obligations*  
 22 *otherwise chargeable to lapsed appropriations for this pur-*  
 23 *pose, payments under the Retired Serviceman’s Family*  
 24 *Protection and Survivor Benefits Plans, payment for career*  
 25 *status bonuses, concurrent receipts and combat-related spe-*

1 cial compensation under the National Defense Authoriza-  
2 tion Act, and payments for medical care of retired per-  
3 sonnel and their dependents under chapter 55 of title 10,  
4 United States Code, \$1,423,000,000, to remain available  
5 until expended.

6 UNITED STATES SECRET SERVICE

7 SALARIES AND EXPENSES

8 For necessary expenses of the United States Secret  
9 Service, including purchase of not to exceed 652 vehicles  
10 for police-type use for replacement only; hire of passenger  
11 motor vehicles; purchase of motorcycles made in the United  
12 States; hire of aircraft; services of expert witnesses at such  
13 rates as may be determined by the Director of the Secret  
14 Service; rental of buildings in the District of Columbia, and  
15 fencing, lighting, guard booths, and other facilities on pri-  
16 vate or other property not in Government ownership or con-  
17 trol, as may be necessary to perform protective functions;  
18 payment of per diem or subsistence allowances to employees  
19 in cases in which a protective assignment on the actual day  
20 or days of the visit of a protectee requires an employee to  
21 work 16 hours per day or to remain overnight at a post  
22 of duty; conduct of and participation in firearms matches;  
23 presentation of awards; travel of United States Secret Serv-  
24 ice employees on protective missions without regard to the  
25 limitations on such expenditures in this or any other Act

1 *if approval is obtained in advance from the Committees on*  
2 *Appropriations of the Senate and the House of Representa-*  
3 *tives; research and development; grants to conduct behav-*  
4 *ioral research in support of protective research and oper-*  
5 *ations; and payment in advance for commercial accom-*  
6 *modations as may be necessary to perform protective func-*  
7 *tions; \$1,555,913,000; of which not to exceed \$19,125 shall*  
8 *be for official reception and representation expenses; of*  
9 *which not to exceed \$100,000 shall be to provide technical*  
10 *assistance and equipment to foreign law enforcement orga-*  
11 *nizations in counterfeit investigations; of which \$2,366,000*  
12 *shall be for forensic and related support of investigations*  
13 *of missing and exploited children; of which \$6,000,000 shall*  
14 *be for a grant for activities related to investigations of miss-*  
15 *ing and exploited children and shall remain available until*  
16 *September 30, 2014; and of which \$4,000,000 shall be for*  
17 *activities related to training in electronic crimes investiga-*  
18 *tions and forensics: Provided, That up to \$18,000,000 for*  
19 *protective travel shall remain available until September 30,*  
20 *2014: Provided further, That \$4,500,000 for National Spe-*  
21 *cial Security Events shall remain available until September*  
22 *30, 2014: Provided further, That the United States Secret*  
23 *Service is authorized to obligate funds in anticipation of*  
24 *reimbursements from Federal agencies and entities, as de-*  
25 *finied in section 105 of title 5, United States Code, for per-*

1 sonnel receiving training sponsored by the James J. Rowley  
2 Training Center, except that total obligations at the end  
3 of the fiscal year shall not exceed total budgetary resources  
4 available under this heading at the end of the fiscal year:  
5 Provided further, That none of the funds made available  
6 under this heading shall be available to compensate any em-  
7 ployee for overtime in an annual amount in excess of  
8 \$35,000, except that the Secretary of Homeland Security,  
9 or the designee of the Secretary, may waive that amount  
10 as necessary for national security purposes: Provided fur-  
11 ther, That none of the funds made available to the United  
12 States Secret Service by this Act or by previous appropria-  
13 tions Acts may be made available for the protection of the  
14 head of a Federal agency other than the Secretary of Home-  
15 land Security: Provided further, That the Director of the  
16 United States Secret Service may enter into an agreement  
17 to provide such protection on a fully reimbursable basis:  
18 Provided further, That none of the funds made available  
19 to the United States Secret Service by this Act or by pre-  
20 vious appropriations Acts may be obligated for the purpose  
21 of opening a new permanent domestic or overseas office or  
22 location unless the Committees on Appropriations of the  
23 Senate and the House of Representatives are notified 15  
24 days in advance of such obligation: Provided further, That  
25 for purposes of section 503(b) of this Act, \$15,000,000 or

1 10 percent, whichever is less, may be transferred between  
2 “Protection of persons and facilities” and “Domestic field  
3 operations”.

4 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND  
5 RELATED EXPENSES

6 For necessary expenses for acquisition, construction,  
7 repair, alteration, and improvement of physical and techno-  
8 logical infrastructure, \$56,750,000; of which \$4,430,000, to  
9 remain available until September 30, 2017, shall be for ac-  
10 quisition, construction, improvement, and maintenance of  
11 facilities; and of which \$52,320,000, to remain available  
12 until September 30, 2015, shall be for information integra-  
13 tion and technology transformation execution: Provided,  
14 That the Director of the United States Secret Service shall  
15 submit to the Committees on Appropriations of the Senate  
16 and the House of Representatives at the time that the Presi-  
17 dent’s budget proposal for fiscal year 2014 is submitted pur-  
18 suant to the requirements of section 1105(a) of title 31,  
19 United States Code, a multi-year investment and manage-  
20 ment plan for its Information Integration and Technology  
21 Transformation program that describes funding for the cur-  
22 rent fiscal year and the following 3 fiscal years, with associ-  
23 ated plans for systems acquisition and technology deploy-  
24 ment.

1 *TITLE III*  
2 *PROTECTION, PREPAREDNESS, RESPONSE, AND*  
3 *RECOVERY*  
4 *NATIONAL PROTECTION AND PROGRAMS DIRECTORATE*  
5 *MANAGEMENT AND ADMINISTRATION*

6 *For salaries and expenses of the Office of the Under*  
7 *Secretary for the National Protection and Programs Direc-*  
8 *torate, support for operations, and information technology,*  
9 *\$50,220,000: Provided, That not to exceed \$3,825 shall be*  
10 *for official reception and representation expenses.*

11 *INFRASTRUCTURE PROTECTION AND INFORMATION*  
12 *SECURITY*

13 *For necessary expenses for infrastructure protection*  
14 *and information security programs and activities, as au-*  
15 *thorized by title II of the Homeland Security Act of 2002*  
16 *(6 U.S.C. 121 et seq.), \$1,157,529,000, of which*  
17 *\$200,000,000, shall remain available until September 30,*  
18 *2014: Provided, That of the total amount provided for the*  
19 *“Infrastructure security compliance” program, project, and*  
20 *activity, \$20,000,000 shall not be available for obligation*  
21 *until the Under Secretary for the National Protection and*  
22 *Programs Directorate submits to the Committees on Appro-*  
23 *priations of the Senate and the House of Representatives*  
24 *an expenditure plan for the Chemical Facility Anti-Ter-*  
25 *rorism Standards program that includes the number of fa-*

1 *cilities covered by the program, inspectors on-board, inspec-*  
2 *tions pending, and inspections projected to be completed by*  
3 *September 30, 2013.*

4 *FEDERAL PROTECTIVE SERVICE*

5 *The revenues and collections of security fees credited*  
6 *to this account shall be available until expended for nec-*  
7 *essary expenses related to the protection of federally owned*  
8 *and leased buildings and for the operations of the Federal*  
9 *Protective Service: Provided, That the Secretary of Home-*  
10 *land Security and the Director of the Office of Management*  
11 *and Budget shall certify in writing to the Committees on*  
12 *Appropriations of the Senate and the House of Representa-*  
13 *tives not later than May 1, 2013, that the operations of*  
14 *the Federal Protective Service will be fully funded in fiscal*  
15 *year 2013 through revenues and collection of security fees,*  
16 *and shall adjust the fees to ensure fee collections are suffi-*  
17 *cient to ensure that the Federal Protective Service main-*  
18 *tains not fewer than 1,371 full-time equivalent staff and*  
19 *1,007 full-time equivalent Police Officers, Inspectors, Area*  
20 *Commanders, and Special Agents who, while working, are*  
21 *directly engaged on a daily basis protecting and enforcing*  
22 *laws at Federal buildings (referred to as “in-service field*  
23 *staff”): Provided further, That the Director of the Federal*  
24 *Protective Service shall include with the submission of the*  
25 *President’s fiscal year 2014 budget a strategic human cap-*



1 *ital plan that aligns fee collections to personnel require-*  
2 *ments based on a current threat assessment.*

3 *OFFICE OF BIOMETRIC IDENTITY MANAGEMENT*

4 *For necessary expenses for the Office of Biometric*  
5 *Identity Management, as authorized by section 7208 of the*  
6 *Intelligence Reform and Terrorism Prevention Act of 2004*  
7 *(8 U.S.C. 1365b), \$232,422,000: Provided, That of the total*  
8 *amount made available under this heading, \$113,956,000*  
9 *shall remain available until September 30, 2015: Provided*  
10 *further, That the Secretary of Homeland Security shall sub-*  
11 *mit to the Committees on Appropriations of the Senate and*  
12 *the House of Representatives, not later than 60 days after*  
13 *the date of enactment of this Act, an expenditure plan for*  
14 *the Office of Biometric Identity Management: Provided fur-*  
15 *ther, That the Secretary shall submit to the Committees on*  
16 *Appropriations of the Senate and the House of Representa-*  
17 *tives at the time the President's budget is submitted each*  
18 *year under section 1105(a) of title 31, United States Code,*  
19 *a multi-year investment and management plan for the Of-*  
20 *fice of Biometric Identity Management program, to include*  
21 *each fiscal year starting with the current fiscal year and*  
22 *the 3 subsequent fiscal years, that provides—*

23 *(1) the proposed appropriation for each activity*  
24 *tied to mission requirements and outcomes, program*  
25 *management capabilities, performance levels, and spe-*

1        *cific capabilities and services to be delivered, noting*  
2        *any deviations in cost or performance from the prior*  
3        *fiscal years expenditure or investment and manage-*  
4        *ment plan for United States Visitor and Immigrant*  
5        *Status Indicator Technology;*

6            *(2) the total estimated cost, projected funding by*  
7        *fiscal year, and projected timeline of completion for*  
8        *all enhancements, modernizations, and new capabili-*  
9        *ties proposed in such budget and underway, including*  
10       *and clearly delineating associated efforts and funds*  
11       *requested by other agencies within the Department of*  
12       *Homeland Security and in the Federal Government*  
13       *and detailing any deviations in cost, performance,*  
14       *schedule, or estimated date of completion provided in*  
15       *the prior fiscal years expenditure or investment and*  
16       *management plan for United States Visitor and Im-*  
17       *migrant Status Indicator Technology; and*

18           *(3) a detailed accounting of operations and*  
19        *maintenance, contractor services, and program costs*  
20        *associated with the management of identity services:*

21       *Provided further, That amounts obligated under Public*  
22       *Law 112–175 for National Protection and Programs Direc-*  
23       *torate, “United States Visitor and Immigrant Status Indi-*  
24       *cator Technology” shall be charged to the appropriate suc-*  
25       *cessor account of the following: National Protection and*

1 *Programs Directorate, “Office of Biometric Identity Man-*  
 2 *agement”;* U.S. *Customs and Border Protection, “Salaries*  
 3 *and Expenses”;* or U.S. *Immigration and Customs Enforce-*  
 4 *ment, “Salaries and Expenses”.*

5 *OFFICE OF HEALTH AFFAIRS*

6 *For necessary expenses of the Office of Health Affairs,*  
 7 *\$132,499,000; of which \$26,702,000 is for salaries and ex-*  
 8 *penses; and of which \$85,390,000 is for BioWatch oper-*  
 9 *ations: Provided, That of the amount made available under*  
 10 *this heading, \$20,407,000 shall remain available until Sep-*  
 11 *tember 30, 2014, for biosurveillance, chemical defense, med-*  
 12 *ical and health planning and coordination, and workforce*  
 13 *health protection: Provided further, That not to exceed*  
 14 *\$2,250 shall be for official reception and representation ex-*  
 15 *penses.*

16 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Emergency Man-*  
 19 *agement Agency, \$973,118,000, including activities author-*  
 20 *ized by the National Flood Insurance Act of 1968 (42*  
 21 *U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief*  
 22 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the*  
 23 *Cerro Grande Fire Assistance Act of 2000 (division C, title*  
 24 *I, 114 Stat. 583), the Earthquake Hazards Reduction Act*  
 25 *of 1977 (42 U.S.C. 7701 et seq.), the Defense Production*

1 *Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and*  
2 *303 of the National Security Act of 1947 (50 U.S.C. 404,*  
3 *405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.),*  
4 *the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.),*  
5 *the Implementing Recommendations of the 9/11 Commis-*  
6 *sion Act of 2007 (Public Law 110–53), the Federal Fire*  
7 *Prevention and Control Act of 1974 (15 U.S.C. 2201 et*  
8 *seq.), the Post-Katrina Emergency Management Reform Act*  
9 *of 2006 (Public Law 109–295; 120 Stat. 1394), and the*  
10 *Biggert-Waters Flood Insurance Reform Act of 2012 (Public*  
11 *Law 112–141, 126 Stat. 917): Provided, That not to exceed*  
12 *\$2,250 shall be for official reception and representation ex-*  
13 *penses: Provided further, That for fiscal year 2013 and*  
14 *thereafter, for purposes of planning, coordination, execu-*  
15 *tion, and decision making related to mass evacuation dur-*  
16 *ing a disaster, the Governors of the State of West Virginia*  
17 *and the Commonwealth of Pennsylvania, or their designees,*  
18 *shall be incorporated into efforts to integrate the activities*  
19 *of Federal, State, and local governments in the National*  
20 *Capital Region, as defined in section 882 of the Homeland*  
21 *Security Act of 2002 (Public Law 107–296): Provided fur-*  
22 *ther, That of the total amount made available under this*  
23 *heading, \$35,180,000 shall be for the Urban Search and*  
24 *Rescue Response System, of which none is available for Fed-*  
25 *eral Emergency Management Agency administrative costs:*

1 *Provided further, That of the total amount made available*  
 2 *under this heading, \$22,000,000 shall remain available*  
 3 *until September 30, 2014, for capital improvements and*  
 4 *other expenses related to continuity of operations at the*  
 5 *Mount Weather Emergency Operations Center: Provided*  
 6 *further, That of the total amount made available under this*  
 7 *heading, \$5,000,000 shall remain available until September*  
 8 *30, 2014, for expenses related to modernization of auto-*  
 9 *mated systems: Provided further, That the Administrator*  
 10 *of the Federal Emergency Management Agency, in consulta-*  
 11 *tion with the Department of Homeland Security Chief In-*  
 12 *formation Officer, shall submit to the Committees on Appro-*  
 13 *priations of the Senate and the House of Representatives*  
 14 *an expenditure plan including results to date, plans for the*  
 15 *program, and a list of projects with associated funding pro-*  
 16 *vided from prior appropriations and provided by this Act*  
 17 *for modernization of automated systems.*

18 *STATE AND LOCAL PROGRAMS*

19 *For grants contracts, cooperative agreements, and*  
 20 *other activities, \$1,466,082,000, which shall be allocated as*  
 21 *follows:*

22 *(1) Not less than \$346,600,000 shall be for the*  
 23 *State Homeland Security Grant Program under sec-*  
 24 *tion 2004 of the Homeland Security Act of 2002 (6*  
 25 *U.S.C. 605), of which not less than \$46,600,000 shall*

1        *be for Operation Stonegarden: Provided, That not-*  
2        *withstanding subsection (c)(4) of such section 2004,*  
3        *for fiscal year 2013, the Commonwealth of Puerto*  
4        *Rico shall make available to local and tribal govern-*  
5        *ments amounts provided to the Commonwealth of*  
6        *Puerto Rico under this paragraph in accordance with*  
7        *subsection (c)(1) of such section 2004.*

8            *(2) Not less than \$500,376,000 shall be for the*  
9        *Urban Area Security Initiative under section 2003 of*  
10       *the Homeland Security Act of 2002 (6 U.S.C. 604),*  
11       *of which not less than \$10,000,000 shall be for organi-*  
12       *zations (as described under section 501(c)(3) of the*  
13       *Internal Revenue Code of 1986 and exempt from tax*  
14       *section 501(a) of such code) determined by the Sec-*  
15       *retary of Homeland Security to be at high risk of a*  
16       *terrorist attack.*

17           *(3) Not less than \$97,500,000 shall be for Public*  
18       *Transportation Security Assistance and Railroad Se-*  
19       *curity Assistance under sections 1406 and 1513 of the*  
20       *Implementing Recommendations of the 9/11 Commis-*  
21       *sion Act of 2007 (Public Law 110–53; 6 U.S.C. 1135*  
22       *and 1163), of which not less than \$10,000,000 shall*  
23       *be for Amtrak security: Provided, That such public*  
24       *transportation security assistance shall be provided*  
25       *directly to public transportation agencies.*

1           (4) *Not less than \$97,500,000 shall be for Port*  
2           *Security Grants in accordance with 46 U.S.C. 70107.*

3           (5) *Notwithstanding section 503 of this Act,*  
4           *\$188,932,000 shall be distributed, according to threat,*  
5           *vulnerability, and consequence, at the discretion of the*  
6           *Secretary of Homeland Security based on the fol-*  
7           *lowing authorities:*

8                     (A) *The State Homeland Security Grant*  
9                     *Program under section 2004 of the Homeland*  
10                    *Security Act of 2002 (6 U.S.C. 605): Provided,*  
11                    *That notwithstanding subsection (c)(4) of such*  
12                    *section 2004, for fiscal year 2013, the Common-*  
13                    *wealth of Puerto Rico shall make available to*  
14                    *local and tribal governments amounts provided*  
15                    *to the Commonwealth of Puerto Rico under this*  
16                    *paragraph in accordance with subsection (c)(1)*  
17                    *of such section 2004.*

18                    (B) *Operation Stonegarden.*

19                    (C) *The Urban Area Security Initiative*  
20                    *under section 2003 of the Homeland Security*  
21                    *Act of 2002 (6 U.S.C. 604).*

22                    (D) *Organizations (as described under sec-*  
23                    *tion 501(c)(3) of the Internal Revenue Code of*  
24                    *1986 and exempt from tax section 501(a) of such*

1           *code) determined by the Secretary of Homeland*  
2           *Security to be at high risk of a terrorist attack.*

3           *(E) Public Transportation Security Assist-*  
4           *ance and Railroad Security Assistance, under*  
5           *sections 1406 and 1513 of the Implementing Rec-*  
6           *ommendations of the 9/11 Commission Act of*  
7           *2007 (6 U.S.C. 1135 and 1163), including Am-*  
8           *trak security: Provided, That such public trans-*  
9           *portation security assistance shall be provided*  
10          *directly to public transportation agencies.*

11          *(F) Port Security Grants in accordance*  
12          *with 46 U.S.C. 70107.*

13          *(G) Over-the-Road Bus Security Assistance*  
14          *under section 1532 of the Implementing Rec-*  
15          *ommendations of the 9/11 Commission Act of*  
16          *2007 (Public Law 110–53; 6 U.S.C. 1182).*

17          *(H) The Metropolitan Medical Response*  
18          *System under section 635 of the Post-Katrina*  
19          *Emergency Management Reform Act of 2006 (6*  
20          *U.S.C. 723).*

21          *(I) The Citizen Corps Program.*

22          *(J) The Driver's License Security Grants*  
23          *Program in accordance with section 204 of the*  
24          *REAL ID Act of 2005 (49 U.S.C. 30301 note).*



1                   (K) *The Interoperable Emergency Commu-*  
2                   *nications Grant Program under section 1809 of*  
3                   *the Homeland Security Act of 2002 (6 U.S.C.*  
4                   *579).*

5                   (L) *Emergency Operations Centers under*  
6                   *section 614 of the Robert T. Stafford Disaster*  
7                   *Relief and Emergency Assistance Act (42 U.S.C.*  
8                   *5196c).*

9                   (M) *The Buffer Zone Protection Program*  
10                  *Grants.*

11                  (N) *Regional Catastrophic Preparedness*  
12                  *Grants.*

13                  (6) *\$235,174,000 shall be to sustain current op-*  
14                  *erations for training, exercises, technical assistance,*  
15                  *and other programs, of which \$157,991,000 shall be*  
16                  *for training of State, local, and tribal emergency re-*  
17                  *sponse providers:*

18 *Provided, That for grants under paragraphs (1) through*  
19 *(5), applications for grants shall be made available to eligi-*  
20 *ble applicants not later than 60 days after the date of enact-*  
21 *ment of this Act, that eligible applicants shall submit appli-*  
22 *cations not later than 80 days after the grant announce-*  
23 *ment, and the Administrator of the Federal Emergency*  
24 *Management Agency shall act within 65 days after the re-*  
25 *ceipt of an application: Provided further, That notwith-*

1 *standing section 2008(a)(11) of the Homeland Security Act*  
2 *of 2002 (6 U.S.C. 609(a)(11)), or any other provision of*  
3 *law, a grantee may not use more than 5 percent of the*  
4 *amount of a grant made available under this heading for*  
5 *expenses directly related to administration of the grant:*  
6 *Provided further, That for grants under paragraphs (1) and*  
7 *(2), the installation of communications towers is not con-*  
8 *sidered construction of a building or other physical facility:*  
9 *Provided further, That grantees shall provide reports on*  
10 *their use of funds, as determined necessary by the Secretary*  
11 *of Homeland Security: Provided further, That in fiscal year*  
12 *2013 and thereafter: (a) the Center for Domestic Prepared-*  
13 *ness may provide training to emergency response providers*  
14 *from the Federal Government, foreign governments, or pri-*  
15 *vate entities, if the Center for Domestic Preparedness is re-*  
16 *imbursed for the cost of such training, and any reimburse-*  
17 *ment under this subsection shall be credited to the account*  
18 *from which the expenditure being reimbursed was made and*  
19 *shall be available, without fiscal year limitation, for the*  
20 *purposes for which amounts in the account may be ex-*  
21 *pended; (b) the head of the Center for Domestic Prepared-*  
22 *ness shall ensure that any training provided under (a) does*  
23 *not interfere with the primary mission of the Center to*  
24 *train State and local emergency response providers; and (c)*  
25 *subject to (b), nothing in (a) prohibits the Center for Domes-*

1 *tic Preparedness from providing training to employees of*  
 2 *the Federal Emergency Management Agency in existing*  
 3 *chemical, biological, radiological, nuclear, explosives, mass*  
 4 *casualty, and medical surge courses pursuant to 5 U.S.C.*  
 5 *4103 without reimbursement for the cost of such training.*

6 *FIREFIGHTER ASSISTANCE GRANTS*

7 *For grants for programs authorized by the Federal*  
 8 *Fire Prevention and Control Act of 1974 (15 U.S.C. 2201*  
 9 *et seq.), \$675,000,000, to remain available until September*  
 10 *30, 2014, of which \$337,500,000 shall be available to carry*  
 11 *out section 33 of that Act (15 U.S.C. 2229) and*  
 12 *\$337,500,000 shall be available to carry out section 34 of*  
 13 *that Act (15 U.S.C. 2229a).*

14 *EMERGENCY MANAGEMENT PERFORMANCE GRANTS*

15 *For emergency management performance grants, as*  
 16 *authorized by the National Flood Insurance Act of 1968 (42*  
 17 *U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief*  
 18 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the*  
 19 *Earthquake Hazards Reduction Act of 1977 (42 U.S.C.*  
 20 *7701 et seq.), and Reorganization Plan No. 3 of 1978 (5*  
 21 *U.S.C. App.), \$350,000,000.*

22 *RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM*

23 *The aggregate charges assessed during fiscal year 2013,*  
 24 *as authorized in title III of the Departments of Veterans*  
 25 *Affairs and Housing and Urban Development, and Inde-*

1 *pendent Agencies Appropriations Act, 1999 (42 U.S.C.*  
 2 *5196e), shall not be less than 100 percent of the amounts*  
 3 *anticipated by the Department of Homeland Security nec-*  
 4 *essary for its radiological emergency preparedness program*  
 5 *for the next fiscal year: Provided, That the methodology for*  
 6 *assessment and collection of fees shall be fair and equitable*  
 7 *and shall reflect costs of providing such services, including*  
 8 *administrative costs of collecting such fees: Provided fur-*  
 9 *ther, That fees received under this heading shall be deposited*  
 10 *in this account as offsetting collections and will become*  
 11 *available for authorized purposes on October 1, 2013, and*  
 12 *remain available until September 30, 2015.*

13 *UNITED STATES FIRE ADMINISTRATION*

14 *For necessary expenses of the United States Fire Ad-*  
 15 *ministration and for other purposes, as authorized by the*  
 16 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*  
 17 *2201 et seq.) and the Homeland Security Act of 2002 (6*  
 18 *U.S.C. 101 et seq.), \$44,000,000.*

19 *DISASTER RELIEF FUND*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses in carrying out the Robert T.*  
 22 *Stafford Disaster Relief and Emergency Assistance Act (42*  
 23 *U.S.C. 5121 et seq.), \$7,007,926,000, to remain available*  
 24 *until expended, of which \$24,000,000 shall be transferred*  
 25 *to the Department of Homeland Security Office of Inspector*

1 *General for audits and investigations related to disasters:*  
2 *Provided, That the Administrator of the Federal Emergency*  
3 *Management Agency shall submit an expenditure plan to*  
4 *the Committees on Appropriations of the Senate and the*  
5 *House of Representatives detailing the use of the funds made*  
6 *available in this or any other Act for disaster readiness and*  
7 *support not later than 60 days after the date of enactment*  
8 *of this Act: Provided further, That the Administrator of the*  
9 *Federal Emergency Management Agency shall submit to*  
10 *such Committees a quarterly report detailing obligations*  
11 *against the expenditure plan and a justification for any*  
12 *changes from the initial plan: Provided further, That the*  
13 *Administrator of the Federal Emergency Management*  
14 *Agency shall submit to the Committees on Appropriations*  
15 *of the Senate and the House of Representatives the following*  
16 *reports, including a specific description of the methodology*  
17 *and the source data used in developing such reports:*

18           *(1) an estimate of the following amounts shall be*  
19           *submitted for the budget year at the time that the*  
20           *President's budget is submitted each year under sec-*  
21           *tion 1105(a) of title 31, United States Code:*

22                   *(A) the unobligated balance of funds to be*  
23                   *carried over from the prior fiscal year to the*  
24                   *budget year;*

1           (B) the unobligated balance of funds to be  
2           carried over from the budget year to the budget  
3           year plus 1;

4           (C) the amount of obligations for non-cata-  
5           strophic events for the budget year;

6           (D) the amount of obligations for the budget  
7           year for catastrophic events delineated by event  
8           and by State;

9           (E) the total amount that has been pre-  
10          viously obligated or will be required for cata-  
11          strophic events delineated by event and by State  
12          for all prior years, the current year, the budget  
13          year, the budget year plus 1, the budget year  
14          plus 2, and the budget year plus 3 and beyond;

15          (F) the amount of previously obligated  
16          funds that will be recovered for the budget year;

17          (G) the amount that will be required for ob-  
18          ligations for emergencies, as described in section  
19          102(1) of the Robert T. Stafford Disaster Relief  
20          and Emergency Assistance Act (42 U.S.C.  
21          5122(1)), major disasters, as described in section  
22          102(2) of the Robert T. Stafford Disaster Relief  
23          and Emergency Assistance Act (42 U.S.C.  
24          5122(2)), fire management assistance grants, as  
25          described in section 420 of the Robert T. Stafford

1        *Disaster Relief and Emergency Assistance Act*  
2        *(42 U.S.C. 5187), surge activities, and disaster*  
3        *readiness and support activities;*

4            *(H) the amount required for activities not*  
5        *covered under section 251(b)(2)(D)(iii) of the*  
6        *Balanced Budget and Emergency Deficit Control*  
7        *Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public*  
8        *Law 99–177);*

9        *(2) an estimate or actual amounts, if available,*  
10       *of the following for the current fiscal year shall be*  
11       *submitted not later than the fifth day of each month:*

12            *(A) a summary of the amount of appropria-*  
13        *tions made available by source, the transfers exe-*  
14        *cuted, the previously allocated funds recovered,*  
15        *and the commitments, allocations, and obliga-*  
16        *tions made;*

17            *(B) a table of disaster relief activity delin-*  
18        *eated by month, including—*

19            *(i) the beginning and ending balances;*

20            *(ii) the total obligations to include*  
21        *amounts obligated for fire assistance, emer-*  
22        *gencies, surge, and disaster support activi-*  
23        *ties;*

1                   (iii) the obligations for catastrophic  
 2                   events delineated by event and by State;  
 3                   and

4                   (iv) the amount of previously obligated  
 5                   funds that are recovered;

6                   (C) a summary of allocations, obligations,  
 7                   and expenditures for catastrophic events delin-  
 8                   eated by event; and

9                   (D) the date on which funds appropriated  
 10                  will be exhausted:

11   *Provided further, That of the amount provided under this*  
 12   *heading, \$6,400,000,000 is for major disasters declared pur-*  
 13   *suant to the Robert T. Stafford Disaster Relief and Emer-*  
 14   *gency Assistance Act (42 U.S.C. 5121 et seq.): Provided fur-*  
 15   *ther, That the amount in the preceding proviso is des-*  
 16   *ignated by the Congress as being for disaster relief pursuant*  
 17   *to section 251(b)(2)(D) of the Balanced Budget and Emer-*  
 18   *gency Deficit Control Act of 1985.*

19    FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

20       *For necessary expenses, including administrative costs,*  
 21   *under section 1360 of the National Flood Insurance Act of*  
 22   *1968 (42 U.S.C. 4101) and under sections 100215, 100216,*  
 23   *100226, 100230, and 100246 of the Biggert-Waters Flood*  
 24   *Insurance Reform Act of 2012 (Public Law 112–141, 126*  
 25   *Stat. 917), \$95,329,000, and such additional sums as may*



1 *be provided by State and local governments or other polit-*  
 2 *ical subdivisions for cost-shared mapping activities under*  
 3 *section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to re-*  
 4 *main available until expended.*

5 *NATIONAL FLOOD INSURANCE FUND*

6 *For activities under the National Flood Insurance Act*  
 7 *of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protec-*  
 8 *tion Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-*  
 9 *Waters Flood Insurance Reform Act of 2012 (Public Law*  
 10 *112–141, 126 Stat. 917), \$171,000,000, which shall be de-*  
 11 *rived from offsetting amounts collected under section*  
 12 *1308(d) of the National Flood Insurance Act of 1968 (42*  
 13 *U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall*  
 14 *be available for salaries and expenses associated with flood*  
 15 *mitigation and flood insurance operations; and not less*  
 16 *than \$149,000,000 shall be available for flood plain man-*  
 17 *agement and flood mapping, to remain available until Sep-*  
 18 *tember 30, 2014: Provided, That any additional fees col-*  
 19 *lected pursuant to section 1308(d) of the National Flood*  
 20 *Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited*  
 21 *as an offsetting collection to this account, to be available*  
 22 *for flood plain management and flood mapping: Provided*  
 23 *further, That in fiscal year 2013, no funds shall be available*  
 24 *from the National Flood Insurance Fund under section*  
 25 *1310 of that Act (42 U.S.C. 4017) in excess of:*

1           (1) \$132,000,000 for operating expenses;

2           (2) \$1,056,602,000 for commissions and taxes of  
3       agents;

4           (3) such sums as are necessary for interest on  
5       Treasury borrowings; and

6           (4) \$120,000,000, which shall remain available  
7       until expended, for flood mitigation actions under sec-  
8       tion 1366 of the National Flood Insurance Act of  
9       1968 (42 U.S.C. 4104c): Provided further, That the  
10      amounts collected under section 102 of the Flood Dis-  
11      aster Protection Act of 1973 (42 U.S.C. 4012a) and  
12      section 1366(e) of the National Flood Insurance Act  
13      of 1968 shall be deposited in the National Flood In-  
14      surance Fund to supplement other amounts specified  
15      as available for section 1366 of the National Flood  
16      Insurance Act of 1968, notwithstanding subsection  
17      (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and  
18      subsection 1366(e) and paragraphs (2) and (3) of sec-  
19      tion 1367(b) of the National Flood Insurance Act of  
20      1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): Provided  
21      further, That total administrative costs shall not ex-  
22      ceed 4 percent of the total appropriation.

23           NATIONAL PREDISASTER MITIGATION FUND

24           For the predisaster mitigation grant program under  
25      section 203 of the Robert T. Stafford Disaster Relief and

1 *Emergency Assistance Act (42 U.S.C. 5133), \$25,000,000,*  
2 *to remain available until expended.*

3 *EMERGENCY FOOD AND SHELTER*

4 *To carry out the emergency food and shelter program*  
5 *pursuant to title III of the McKinney-Vento Homeless As-*  
6 *sistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to re-*  
7 *main available until expended: Provided, That total admin-*  
8 *istrative costs shall not exceed 3.5 percent of the total*  
9 *amount made available under this heading.*

10 *TITLE IV*

11 *RESEARCH AND DEVELOPMENT, TRAINING, AND*  
12 *SERVICES*

13 *UNITED STATES CITIZENSHIP AND IMMIGRATION*

14 *SERVICES*

15 *For necessary expenses for citizenship and immigra-*  
16 *tion services, \$111,924,000 for the E-Verify Program, as de-*  
17 *scribed in section 403(a) of the Illegal Immigration Reform*  
18 *and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*  
19 *note), to assist United States employers with maintaining*  
20 *a legal workforce: Provided, That notwithstanding any*  
21 *other provision of law, funds otherwise made available to*  
22 *United States Citizenship and Immigration Services may*  
23 *be used to acquire, operate, equip, and dispose of up to 5*  
24 *vehicles, for replacement only, for areas where the Adminis-*  
25 *trator of General Services does not provide vehicles for lease:*

1 *Provided further, That the Director of United States Citi-*  
2 *zenship and Immigration Services may authorize employees*  
3 *who are assigned to those areas to use such vehicles to travel*  
4 *between the employees' residences and places of employment.*

5 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Federal Law Enforce-*  
8 *ment Training Center, including materials and support*  
9 *costs of Federal law enforcement basic training; the pur-*  
10 *chase of not to exceed 117 vehicles for police-type use and*  
11 *hire of passenger motor vehicles; expenses for student ath-*  
12 *letic and related activities; the conduct of and participation*  
13 *in firearms matches and presentation of awards; public*  
14 *awareness and enhancement of community support of law*  
15 *enforcement training; room and board for student interns;*  
16 *a flat monthly reimbursement to employees authorized to*  
17 *use personal mobile phones for official duties; and services*  
18 *as authorized by section 3109 of title 5, United States Code;*  
19 *\$228,467,000; of which up to \$44,758,000 shall remain*  
20 *available until September 30, 2014, for materials and sup-*  
21 *port costs of Federal law enforcement basic training; of*  
22 *which \$300,000 shall remain available until expended to*  
23 *be distributed to Federal law enforcement agencies for ex-*  
24 *penses incurred participating in training accreditation;*  
25 *and of which not to exceed \$9,180 shall be for official recep-*

1 tion and representation expenses: *Provided, That the Center*  
2 *is authorized to obligate funds in anticipation of reimburse-*  
3 *ments from agencies receiving training sponsored by the*  
4 *Center, except that total obligations at the end of the fiscal*  
5 *year shall not exceed total budgetary resources available at*  
6 *the end of the fiscal year: Provided further, That section*  
7 *1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as*  
8 *amended by Public Law 112–74, is further amended by*  
9 *striking “December 31, 2014” and inserting “December 31,*  
10 *2015”:* *Provided further, That the Director of the Federal*  
11 *Law Enforcement Training Center shall schedule basic or*  
12 *advanced law enforcement training, or both, at all four*  
13 *training facilities under the control of the Federal Law En-*  
14 *forcement Training Center to ensure that such training fa-*  
15 *cilities are operated at the highest capacity throughout the*  
16 *fiscal year: Provided further, That the Federal Law En-*  
17 *forcement Training Accreditation Board, including rep-*  
18 *resentatives from the Federal law enforcement community*  
19 *and non-Federal accreditation experts involved in law en-*  
20 *forcement training, shall lead the Federal law enforcement*  
21 *training accreditation process to continue the implementa-*  
22 *tion of measuring and assessing the quality and effective-*  
23 *ness of Federal law enforcement training programs, facili-*  
24 *ties, and instructors.*

11 *SCIENCE AND TECHNOLOGY*

13        *For salaries and expenses of the Office of the Under*  
14 *Secretary for Science and Technology and for management*  
15 *and administration of programs and activities, as author-*  
16 *ized by title III of the Homeland Security Act of 2002 (6*  
17 *U.S.C. 181 et seq.), \$132,000,000: Provided, That not to*  
18 *exceed \$7,650 shall be for official reception and representa-*  
19 *tion expenses.*

For necessary expenses for science and technology re-  
search, including advanced research projects, development,  
test and evaluation, acquisition, and operations as author-  
ized by title III of the Homeland Security Act of 2002 (6  
U.S.C. 181 et seq.), and the purchase or lease of not to ex-

1 *ceed 5 vehicles, \$703,471,000; of which \$538,539,000 shall*  
2 *remain available until September 30, 2015; and of which*  
3 *\$164,932,000 shall remain available until September 30,*  
4 *2017, solely for operation and construction of laboratory*  
5 *facilities.*

6 *DOMESTIC NUCLEAR DETECTION OFFICE*

7 *MANAGEMENT AND ADMINISTRATION*

8 *For salaries and expenses of the Domestic Nuclear De-*  
9 *tection Office, as authorized by title XIX of the Homeland*  
10 *Security Act of 2002 (6 U.S.C. 591 et seq.), for management*  
11 *and administration of programs and activities,*  
12 *\$39,650,000: Provided, That not to exceed \$2,250 shall be*  
13 *for official reception and representation expenses: Provided*  
14 *further, That not later than 60 days after the date of enact-*  
15 *ment of this Act, the Secretary of Homeland Security shall*  
16 *submit to the Committees on Appropriations of the Senate*  
17 *and the House of Representatives a strategic plan of invest-*  
18 *ments necessary to implement the Department of Homeland*  
19 *Security's responsibilities under the domestic component of*  
20 *the global nuclear detection architecture that shall:*

21 *(1) define the role and responsibilities of each*  
22 *Departmental component in support of the domestic*  
23 *detection architecture, including any existing or*  
24 *planned programs to pre-screen cargo or conveyances*  
25 *overseas;*

1           (2) *identify and describe the specific investments*  
2           *being made by each Departmental component in fis-*  
3           *cal year 2013 and planned for fiscal year 2014 to*  
4           *support the domestic architecture and the security of*  
5           *sea, land, and air pathways into the United States;*

6           (3) *describe the investments necessary to close*  
7           *known vulnerabilities and gaps, including associated*  
8           *costs and timeframes, and estimates of feasibility and*  
9           *cost effectiveness; and*

10          (4) *explain how the Department's research and*  
11          *development funding is furthering the implementation*  
12          *of the domestic nuclear detection architecture, includ-*  
13          *ing specific investments planned for each of fiscal*  
14          *years 2013 and 2014.*

15                 RESEARCH, DEVELOPMENT, AND OPERATIONS

16          *For necessary expenses for radiological and nuclear re-*  
17          *search, development, testing, evaluation, and operations,*  
18          *\$226,830,000, to remain available until September 30,*  
19          *2014.*

20                 SYSTEMS ACQUISITION

21          *For expenses for the Domestic Nuclear Detection Office*  
22          *acquisition and deployment of radiological detection sys-*  
23          *tems in accordance with the global nuclear detection archi-*  
24          *itecture, \$51,455,000, to remain available until September*  
25          *30, 2015.*



## TITLE V

## GENERAL PROVISIONS

SEC. 501. *No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

SEC. 502. *Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.*

SEC. 503. (a) *None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:*

- (1) *creates a new program, project, or activity;*
- (2) *eliminates a program, project, office, or activity;*

1           (3) increases funds for any program, project, or  
2           activity for which funds have been denied or restricted  
3           by the Congress;

4           (4) proposes to use funds directed for a specific  
5           activity by either of the Committees on Appropria-  
6           tions of the Senate or the House of Representatives for  
7           a different purpose; or

8           (5) contracts out any function or activity for  
9           which funding levels were requested for Federal full-  
10          time equivalents in the object classification tables con-  
11          tained in the fiscal year 2013 Budget Appendix for  
12          the Department of Homeland Security, as modified  
13          by the joint explanatory statement accompanying this  
14          Act, unless the Committees on Appropriations of the  
15          Senate and the House of Representatives are notified  
16          15 days in advance of such reprogramming of funds.

17          (b) None of the funds provided by this Act, provided  
18          by previous appropriations Acts to the agencies in or trans-  
19          ferred to the Department of Homeland Security that remain  
20          available for obligation or expenditure in fiscal year 2013,  
21          or provided from any accounts in the Treasury of the  
22          United States derived by the collection of fees or proceeds  
23          available to the agencies funded by this Act, shall be avail-  
24          able for obligation or expenditure for programs, projects,

1 *or activities through a reprogramming of funds in excess*  
2 *of \$5,000,000 or 10 percent, whichever is less, that:*

3 *(1) augments existing programs, projects, or ac-*  
4 *tivities;*

5 *(2) reduces by 10 percent funding for any exist-*  
6 *ing program, project, or activity;*

7 *(3) reduces by 10 percent the numbers of per-*  
8 *sonnel approved by the Congress; or*

9 *(4) results from any general savings from a re-*  
10 *duction in personnel that would result in a change in*  
11 *existing programs, projects, or activities as approved*  
12 *by the Congress, unless the Committees on Appropria-*  
13 *tions of the Senate and the House of Representatives*  
14 *are notified 15 days in advance of such reprogram-*  
15 *ming of funds.*

16 *(c) Not to exceed 5 percent of any appropriation made*  
17 *available for the current fiscal year for the Department of*  
18 *Homeland Security by this Act or provided by previous ap-*  
19 *propriations Acts may be transferred between such appro-*  
20 *priations, but no such appropriation, except as otherwise*  
21 *specifically provided, shall be increased by more than 10*  
22 *percent by such transfers: Provided, That any transfer*  
23 *under this section shall be treated as a reprogramming of*  
24 *funds under subsection (b) and shall not be available for*  
25 *obligation unless the Committees on Appropriations of the*

1 *Senate and the House of Representatives are notified 15*  
2 *days in advance of such transfer.*

3 *(d) Notwithstanding subsections (a), (b), and (c) of*  
4 *this section, no funds shall be reprogrammed within or*  
5 *transferred between appropriations after June 30, except in*  
6 *extraordinary circumstances that imminently threaten the*  
7 *safety of human life or the protection of property.*

8 *(e) The notification thresholds and procedures set forth*  
9 *in this section shall apply to any use of deobligated balances*  
10 *of funds provided in previous Department of Homeland Se-*  
11 *curity Appropriations Acts.*

12 *SEC. 504. The Department of Homeland Security*  
13 *Working Capital Fund, established pursuant to section 403*  
14 *of Public Law 103–356 (31 U.S.C. 501 note), shall continue*  
15 *operations as a permanent working capital fund for fiscal*  
16 *year 2013: Provided, That none of the funds appropriated*  
17 *or otherwise made available to the Department of Home-*  
18 *land Security may be used to make payments to the Work-*  
19 *ing Capital Fund, except for the activities and amounts al-*  
20 *lowed in the President’s fiscal year 2013 budget: Provided*  
21 *further, That funds provided to the Working Capital Fund*  
22 *shall be available for obligation until expended to carry out*  
23 *the purposes of the Working Capital Fund: Provided fur-*  
24 *ther, That all departmental components shall be charged*  
25 *only for direct usage of each Working Capital Fund service:*

1 *Provided further, That funds provided to the Working Cap-*  
2 *ital Fund shall be used only for purposes consistent with*  
3 *the contributing component: Provided further, That the*  
4 *Working Capital Fund shall be paid in advance or reim-*  
5 *bursed at rates which will return the full cost of each serv-*  
6 *ice: Provided further, That the Working Capital Fund shall*  
7 *be subject to the requirements of section 503 of this Act.*

8       *SEC. 505. Except as otherwise specifically provided by*  
9 *law, not to exceed 50 percent of unobligated balances re-*  
10 *maining available at the end of fiscal year 2013 from ap-*  
11 *propriations for salaries and expenses for fiscal year 2013*  
12 *in this Act shall remain available through September 30,*  
13 *2014, in the account and for the purposes for which the*  
14 *appropriations were provided: Provided, That prior to the*  
15 *obligation of such funds, a request shall be submitted to the*  
16 *Committees on Appropriations of the Senate and the House*  
17 *of Representatives for approval in accordance with section*  
18 *503 of this Act.*

19       *SEC. 506. Funds made available by this Act for intel-*  
20 *ligence activities are deemed to be specifically authorized*  
21 *by the Congress for purposes of section 504 of the National*  
22 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*  
23 *2013 until the enactment of an Act authorizing intelligence*  
24 *activities for fiscal year 2013.*

1       *SEC. 507. (a) Except as provided in subsections (b)*  
2 *and (c), none of the funds made available by this Act may*  
3 *be used to—*

4           *(1) make or award a grant allocation, grant,*  
5 *contract, other transaction agreement, task or delivery*  
6 *order on a Department of Homeland Security mul-*  
7 *tiple award contract, or to issue a letter of intent to-*  
8 *taling in excess of \$1,000,000;*

9           *(2) award a task or delivery order requiring an*  
10 *obligation of funds in an amount greater than*  
11 *\$10,000,000 from multi-year Department of Home-*  
12 *land Security funds or a task or delivery order that*  
13 *would cause cumulative obligations of multi-year*  
14 *funds in a single account to exceed 50 percent of the*  
15 *total amount appropriated;*

16           *(3) make a sole-source grant award; or*

17           *(4) announce publicly the intention to make or*  
18 *award items under paragraph (1), (2), or (3) includ-*  
19 *ing a contract covered by the Federal Acquisition*  
20 *Regulation.*

21       *(b) The Secretary of Homeland Security may waive*  
22 *the prohibition under subsection (a) if the Secretary notifies*  
23 *the Committees on Appropriations of the Senate and the*  
24 *House of Representatives at least 3 full business days in*

1 *advance of making an award or issuing a letter as described*  
2 *in that subsection.*

3 *(c) If the Secretary of Homeland Security determines*  
4 *that compliance with this section would pose a substantial*  
5 *risk to human life, health, or safety, an award may be made*  
6 *without notification, and the Secretary shall notify the*  
7 *Committees on Appropriations of the Senate and the House*  
8 *of Representatives not later than 5 full business days after*  
9 *such an award is made or letter issued.*

10 *(d) A notification under this section—*

11 *(1) may not involve funds that are not available*  
12 *for obligation; and*

13 *(2) shall include the amount of the award; the*  
14 *fiscal year for which the funds for the award were ap-*  
15 *propriated; type of contract; and the account and*  
16 *each program, project, and activity from which the*  
17 *funds are being drawn.*

18 *(e) The Administrator of the Federal Emergency Man-*  
19 *agement Agency shall brief the Committees on Appropria-*  
20 *tions of the Senate and the House of Representatives 5 full*  
21 *business days in advance of announcing publicly the inten-*  
22 *tion of making an award under “State and Local Pro-*  
23 *grams”.*

24 *SEC. 508. Notwithstanding any other provision of law,*  
25 *no agency shall purchase, construct, or lease any additional*

1 facilities, except within or contiguous to existing locations,  
2 to be used for the purpose of conducting Federal law enforce-  
3 ment training without the advance approval of the Commit-  
4 tees on Appropriations of the Senate and the House of Rep-  
5 resentatives, except that the Federal Law Enforcement  
6 Training Center is authorized to obtain the temporary use  
7 of additional facilities by lease, contract, or other agreement  
8 for training that cannot be accommodated in existing Cen-  
9 ter facilities.

10       SEC. 509. None of the funds appropriated or otherwise  
11 made available by this Act may be used for expenses for  
12 any construction, repair, alteration, or acquisition project  
13 for which a prospectus otherwise required under chapter 33  
14 of title 40, United States Code, has not been approved, ex-  
15 cept that necessary funds may be expended for each project  
16 for required expenses for the development of a proposed pro-  
17 spectus.

18       SEC. 510. (a) Sections 520, 522, and 530 of the De-  
19 partment of Homeland Security Appropriations Act, 2008  
20 (division E of Public Law 110–161; 121 Stat. 2073 and  
21 2074) shall apply with respect to funds made available in  
22 this Act in the same manner as such sections applied to  
23 funds made available in that Act.

24       (b) The third proviso of section 537 of the Department  
25 of Homeland Security Appropriations Act, 2006 (6 U.S.C.



1 114), shall not apply with respect to funds made available  
2 in this Act.

3       *SEC. 511. None of the funds made available in this*  
4 *Act may be used in contravention of the applicable provi-*  
5 *sions of the Buy American Act. For purposes of the pre-*  
6 *ceding sentence, the term “Buy American Act” means chap-*  
7 *ter 83 of title 41, United States Code.*

8       *SEC. 512. None of the funds made available in this*  
9 *Act may be used by any person other than the Privacy Offi-*  
10 *cer appointed under subsection (a) of section 222 of the*  
11 *Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter,*  
12 *direct that changes be made to, delay, or prohibit the trans-*  
13 *mission to Congress of any report prepared under para-*  
14 *graph (6) of such subsection.*

15       *SEC. 513. None of the funds made available in this*  
16 *Act may be used to amend the oath of allegiance required*  
17 *by section 337 of the Immigration and Nationality Act (8*  
18 *U.S.C. 1448).*

19       *SEC. 514. Within 45 days after the end of each month,*  
20 *the Chief Financial Officer of the Department of Homeland*  
21 *Security shall submit to the Committees on Appropriations*  
22 *of the Senate and the House of Representatives a monthly*  
23 *budget and staffing report for that month that includes total*  
24 *obligations, on-board versus funded full-time equivalent*

1 *staffing levels, and the number of contract employees for*  
2 *each office of the Department.*

3       *SEC. 515. Except as provided in section 44945 of title*  
4 *49, United States Code, funds appropriated or transferred*  
5 *to Transportation Security Administration “Aviation Se-*  
6 *curity”, “Administration”, and “Transportation Security*  
7 *Support” for fiscal years 2004 and 2005 that are recovered*  
8 *or deobligated shall be available only for the procurement*  
9 *or installation of explosives detection systems, air cargo,*  
10 *baggage, and checkpoint screening systems, subject to notifi-*  
11 *cation: Provided, That quarterly reports shall be submitted*  
12 *to the Committees on Appropriations of the Senate and the*  
13 *House of Representatives on any funds that are recovered*  
14 *or deobligated.*

15       *SEC. 516. None of the funds appropriated by this Act*  
16 *may be used to process or approve a competition under Of-*  
17 *fice of Management and Budget Circular A–76 for services*  
18 *provided as of June 1, 2004, by employees (including em-*  
19 *ployees serving on a temporary or term basis) of United*  
20 *States Citizenship and Immigration Services of the Depart-*  
21 *ment of Homeland Security who are known as of that date*  
22 *as Immigration Information Officers, Contact Representa-*  
23 *tives, or Investigative Assistants.*

24       *SEC. 517. Any funds appropriated to Coast Guard*  
25 *“Acquisition, Construction, and Improvements” for fiscal*

1 *years 2002, 2003, 2004, 2005, and 2006 for the 110–123*  
2 *foot patrol boat conversion that are recovered, collected, or*  
3 *otherwise received as the result of negotiation, mediation,*  
4 *or litigation, shall be available until expended for the Fast*  
5 *Response Cutter program.*

6 *SEC. 518. Section 532(a) of Public Law 109–295 (120*  
7 *Stat. 1384) is amended by striking “2012” and inserting*  
8 *“2013”.*

9 *SEC. 519. The functions of the Federal Law Enforce-*  
10 *ment Training Center instructor staff shall be classified as*  
11 *inherently governmental for the purpose of the Federal Ac-*  
12 *tivities Inventory Reform Act of 1998 (31 U.S.C. 501 note).*

13 *SEC. 520. (a) Except as provided in subsection (b),*  
14 *none of the funds appropriated in this or any other Act*  
15 *to the “Office of the Secretary and Executive Management”,*  
16 *the “Office of the Under Secretary for Management”, or the*  
17 *“Office of the Chief Financial Officer”, may be obligated*  
18 *for a grant or contract funded under such headings by any*  
19 *means other than full and open competition.*

20 *(b) Subsection (a) does not apply to obligation of funds*  
21 *for a contract awarded—*

22 *(1) by a means that is required by a Federal*  
23 *statute, including obligation for a purchase made*  
24 *under a mandated preferential program, including*

1        *the AbilityOne Program, that is authorized under*  
2        *chapter 85 of title 41, United States Code;*

3            *(2) pursuant to the Small Business Act (15*  
4        *U.S.C. 631 et seq.);*

5            *(3) in an amount less than the simplified acqui-*  
6        *sition threshold described under section 3101 (b) of*  
7        *title 41, United States Code; or*

8            *(4) by another Federal agency using funds pro-*  
9        *vided through an interagency agreement.*

10        *(c)(1) Subject to paragraph (2), the Secretary of*  
11        *Homeland Security may waive the application of this sec-*  
12        *tion for the award of a contract in the interest of national*  
13        *security or if failure to do so would pose a substantial risk*  
14        *to human health or welfare.*

15        *(2) Not later than 5 days after the date on which the*  
16        *Secretary of Homeland Security issues a waiver under this*  
17        *subsection, the Secretary shall submit notification of that*  
18        *waiver to the Committees on Appropriations of the Senate*  
19        *and the House of Representatives, including a description*  
20        *of the applicable contract to which the waiver applies and*  
21        *an explanation of why the waiver authority was used: Pro-*  
22        *vided, That the Secretary may not delegate the authority*  
23        *to grant such a waiver.*

24        *(d) In addition to the requirements established by sub-*  
25        *sections (a), (b), and (c) of this section, the Inspector Gen-*

1 eral of the Department of Homeland Security shall review  
2 departmental contracts awarded through means other than  
3 a full and open competition to assess departmental compli-  
4 ance with applicable laws and regulations: Provided, That  
5 the Inspector General shall review selected contracts award-  
6 ed in the previous 3 fiscal years through means other than  
7 a full and open competition: Provided further, That in se-  
8 lecting which contracts to review, the Inspector General  
9 shall consider the cost and complexity of the goods and serv-  
10 ices to be provided under the contract, the criticality of the  
11 contract to fulfilling Department missions, past perform-  
12 ance problems on similar contracts or by the selected ven-  
13 dor, complaints received about the award process or con-  
14 tractor performance, and such other factors as the Inspector  
15 General deems relevant: Provided further, That the Inspec-  
16 tor General shall report the results of the reviews to the  
17 Committees on Appropriations of the Senate and the House  
18 of Representatives no later than February 4, 2015, and  
19 every 3 years thereafter.

20 SEC. 521. None of the funds provided by this or pre-  
21 vious appropriations Acts shall be used to fund any posi-  
22 tion designated as a Principal Federal Official (or the suc-  
23 cessor thereto) for any Robert T. Stafford Disaster Relief  
24 and Emergency Assistance Act (42 U.S.C. 5121 et seq.) de-  
25 clared disasters or emergencies unless—

1           (1) *the responsibilities of the Principal Federal*  
2           *Official do not include operational functions related*  
3           *to incident management, including coordination of*  
4           *operations, and are consistent with the requirements*  
5           *of section 509(c) and sections 503(c)(3) and*  
6           *503(c)(4)(A) of the Homeland Security Act of 2002 (6*  
7           *U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and*  
8           *section 302 of the Robert T. Stafford Disaster Relief*  
9           *and Assistance Act (42 U.S.C. 5143);*

10          (2) *not later than 10 business days after the lat-*  
11          *ter of the date on which the Secretary of Homeland*  
12          *Security appoints the Principal Federal Official and*  
13          *the date on which the President issues a declaration*  
14          *under section 401 or section 501 of the Robert T.*  
15          *Stafford Disaster Relief and Emergency Assistance*  
16          *Act (42 U.S.C. 5170 and 5191, respectively), the Sec-*  
17          *retary of Homeland Security shall submit a notifica-*  
18          *tion of the appointment of the Principal Federal Offi-*  
19          *cial and a description of the responsibilities of such*  
20          *Official and how such responsibilities are consistent*  
21          *with paragraph (1) to the Committees on Appropria-*  
22          *tions of the Senate and the House of Representatives,*  
23          *the Transportation and Infrastructure Committee of*  
24          *the House of Representatives, and the Homeland Se-*

1        *curity and Governmental Affairs Committee of the*  
2        *Senate; and*

3            *(3) not later than 60 days after the date of en-*  
4        *actment of this Act, the Secretary shall provide a re-*  
5        *port specifying timeframes and milestones regarding*  
6        *the update of operations, planning and policy docu-*  
7        *ments, and training and exercise protocols, to ensure*  
8        *consistency with paragraph (1) of this section.*

9        *SEC. 522. None of the funds provided or otherwise*  
10       *made available in this Act shall be available to carry out*  
11       *section 872 of the Homeland Security Act of 2002 (6 U.S.C.*  
12       *452).*

13       *SEC. 523. Funds made available in this Act may be*  
14       *used to alter operations within the Civil Engineering Pro-*  
15       *gram of the Coast Guard nationwide, including civil engi-*  
16       *neering units, facilities design and construction centers,*  
17       *maintenance and logistics commands, and the Coast Guard*  
18       *Academy, except that none of the funds provided in this*  
19       *Act may be used to reduce operations within any Civil En-*  
20       *gineering Unit unless specifically authorized by a statute*  
21       *enacted after the date of enactment of this Act.*

22       *SEC. 524. None of the funds made available in this*  
23       *Act may be used by United States Citizenship and Immi-*  
24       *gration Services to grant an immigration benefit unless the*  
25       *results of background checks required by law to be completed*

1 prior to the granting of the benefit have been received by  
2 United States Citizenship and Immigration Services, and  
3 the results do not preclude the granting of the benefit.

4 SEC. 525. Section 831 of the Homeland Security Act  
5 of 2002 (6 U.S.C. 391) is amended—

6 (1) in subsection (a), by striking “Until Sep-  
7 tember 30, 2012,” and inserting “Until September 30,  
8 2013,”;

9 (2) in subsection (c)(1), by striking “September  
10 30, 2012,” and inserting “September 30, 2013,”.

11 SEC. 526. The Secretary of Homeland Security shall  
12 require that all contracts of the Department of Homeland  
13 Security that provide award fees link such fees to successful  
14 acquisition outcomes (which outcomes shall be specified in  
15 terms of cost, schedule, and performance).

16 SEC. 527. Notwithstanding any other provision of law,  
17 none of the funds provided in this or any other Act shall  
18 be used to approve a waiver of the navigation and vessel-  
19 inspection laws pursuant to 46 U.S.C. 501(b) for the trans-  
20 portation of crude oil distributed from the Strategic Petro-  
21 leum Reserve until the Secretary of Homeland Security,  
22 after consultation with the Secretaries of the Departments  
23 of Energy and Transportation and representatives from the  
24 United States flag maritime industry, takes adequate meas-  
25 ures to ensure the use of United States flag vessels: Pro-



1 vided, That the Secretary shall notify the Committees on  
2 Appropriations of the Senate and the House of Representa-  
3 tives, the Committee on Commerce, Science, and Transpor-  
4 tation of the Senate, and the Committee on Transportation  
5 and Infrastructure of the House of Representatives within  
6 2 business days of any request for waivers of navigation  
7 and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

8       SEC. 528. None of the funds made available to the Of-  
9 fice of the Secretary and Executive Management under this  
10 Act may be expended for any new hires by the Department  
11 of Homeland Security that are not verified through the E-  
12 Verify Program as described in section 403(a) of the Illegal  
13 Immigration Reform and Immigrant Responsibility Act of  
14 1996 (8 U.S.C. 1324a note).

15       SEC. 529. None of the funds in this Act shall be used  
16 to reduce the United States Coast Guard's Operations Sys-  
17 tems Center mission or its government-employed or contract  
18 staff levels.

19       SEC. 530. None of the funds made available in this  
20 Act for U.S. Customs and Border Protection may be used  
21 to prevent an individual not in the business of importing  
22 a prescription drug (within the meaning of section 801(g)  
23 of the Federal Food, Drug, and Cosmetic Act) from import-  
24 ing a prescription drug from Canada that complies with  
25 the Federal Food, Drug, and Cosmetic Act: Provided, That

1 *this section shall apply only to individuals transporting on*  
2 *their person a personal-use quantity of the prescription*  
3 *drug, not to exceed a 90-day supply: Provided further, That*  
4 *the prescription drug may not be—*

5 *(1) a controlled substance, as defined in section*  
6 *102 of the Controlled Substances Act (21 U.S.C. 802);*  
7 *or*

8 *(2) a biological product, as defined in section*  
9 *351 of the Public Health Service Act (42 U.S.C. 262).*

10 *SEC. 531. None of the funds appropriated by this Act*  
11 *may be used to conduct, or to implement the results of, a*  
12 *competition under Office of Management and Budget Cir-*  
13 *cular A-76 for activities performed with respect to the Coast*  
14 *Guard National Vessel Documentation Center.*

15 *SEC. 532. The Secretary of Homeland Security, in*  
16 *consultation with the Secretary of the Treasury, shall notify*  
17 *the Committees on Appropriations of the Senate and the*  
18 *House of Representatives of any proposed transfers of funds*  
19 *available under section 9703.1(g)(4)(B) of title 31, United*  
20 *States Code (as added by Public Law 102-393) from the*  
21 *Department of the Treasury Forfeiture Fund to any agency*  
22 *within the Department of Homeland Security: Provided,*  
23 *That none of the funds identified for such a transfer may*  
24 *be obligated until the Committees on Appropriations of the*

1 *Senate and the House of Representatives approve the pro-*  
2 *posed transfers.*

3       *SEC. 533. None of the funds made available in this*  
4 *Act may be used for planning, testing, piloting, or devel-*  
5 *oping a national identification card.*

6       *SEC. 534. If the Administrator of the Transportation*  
7 *Security Administration determines that an airport does*  
8 *not need to participate in the E-Verify Program as de-*  
9 *scribed in section 403(a) of the Illegal Immigration Reform*  
10 *and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*  
11 *note), the Administrator shall certify to the Committees on*  
12 *Appropriations of the Senate and the House of Representa-*  
13 *tives that no security risks will result from such non-par-*  
14 *ticipation.*

15       *SEC. 535. (a) Notwithstanding any other provision of*  
16 *this Act, except as provided in subsection (b), and 30 days*  
17 *after the date on which the President determines whether*  
18 *to declare a major disaster because of an event and any*  
19 *appeal is completed, the Administrator shall publish on the*  
20 *Web site of the Federal Emergency Management Agency a*  
21 *report regarding that decision that shall summarize damage*  
22 *assessment information used to determine whether to de-*  
23 *clare a major disaster.*

1       (b) *The Administrator may redact from a report under*  
 2       *subsection (a) any data that the Administrator determines*  
 3       *would compromise national security.*

4       (c) *In this section—*

5               (1) *the term “Administrator” means the Admin-*  
 6               *istrator of the Federal Emergency Management Agen-*  
 7               *cy; and*

8               (2) *the term “major disaster” has the meaning*  
 9               *given that term in section 102 of the Robert T. Staf-*  
 10              *ford Disaster Relief and Emergency Assistance Act*  
 11              *(42 U.S.C. 5122).*

12       SEC. 536. *Any official that is required by this Act to*  
 13       *report or to certify to the Committees on Appropriations*  
 14       *of the Senate and the House of Representatives may not*  
 15       *delegate such authority to perform that act unless specifi-*  
 16       *cally authorized herein.*

17       SEC. 537. *Section 550(b) of the Department of Home-*  
 18       *land Security Appropriations Act, 2007 (Public Law 109–*  
 19       *295; 6 U.S.C. 121 note), as amended by section 550 of the*  
 20       *Department of Homeland Security Appropriations Act,*  
 21       *2010 (Public Law 111–83), is further amended by striking*  
 22       *“on October 4, 2012” and inserting “on October 4, 2013”.*

23       SEC. 538. *None of the funds appropriated or otherwise*  
 24       *made available in this or any other Act may be used to*  
 25       *transfer, release, or assist in the transfer or release to or*

1 *within the United States, its territories, or possessions*  
2 *Khalid Sheikh Mohammed or any other detainee who—*

3 *(1) is not a United States citizen or a member*  
4 *of the Armed Forces of the United States; and*

5 *(2) is or was held on or after June 24, 2009, at*  
6 *the United States Naval Station, Guantanamo Bay,*  
7 *Cuba, by the Department of Defense.*

8 *SEC. 539. None of the funds made available in this*  
9 *Act may be used for first-class travel by the employees of*  
10 *agencies funded by this Act in contravention of sections*  
11 *301–10.122 through 301.10–124 of title 41, Code of Federal*  
12 *Regulations.*

13 *SEC. 540. None of the funds made available in this*  
14 *or any other Act for fiscal year 2013 and thereafter may*  
15 *be used to propose or effect a disciplinary or adverse action,*  
16 *with respect to any Department of Homeland Security em-*  
17 *ployee who engages regularly with the public in the per-*  
18 *formance of his or her official duties solely because that em-*  
19 *ployee elects to utilize protective equipment or measures, in-*  
20 *cluding but not limited to surgical masks, N95 respirators,*  
21 *gloves, or hand-sanitizers, where use of such equipment or*  
22 *measures is in accord with Department of Homeland Secu-*  
23 *rity policy, and Centers for Disease Control and Prevention*  
24 *and Office of Personnel Management guidance.*

1       *SEC. 541. None of the funds made available in this*  
2 *Act may be used to employ workers described in section*  
3 *274A(h)(3) of the Immigration and Nationality Act (8*  
4 *U.S.C. 1324a(h)(3)).*

5       *SEC. 542. (a) Any company that collects or retains*  
6 *personal information directly from any individual who*  
7 *participates in the Registered Traveler or successor pro-*  
8 *gram of the Transportation Security Administration shall*  
9 *safeguard and dispose of such information in accordance*  
10 *with the requirements in—*

11               *(1) the National Institute for Standards and*  
12 *Technology Special Publication 800–30, entitled*  
13 *“Risk Management Guide for Information Technology*  
14 *Systems”;*

15               *(2) the National Institute for Standards and*  
16 *Technology Special Publication 800–53, Revision 3,*  
17 *entitled “Recommended Security Controls for Federal*  
18 *Information Systems and Organizations”;* and

19               *(3) any supplemental standards established by*  
20 *the Administrator of the Transportation Security Ad-*  
21 *ministration (referred to in this section as the “Ad-*  
22 *ministrator”).*

23       *(b) The airport authority or air carrier operator that*  
24 *sponsors the company under the Registered Traveler pro-*  
25 *gram shall be known as the “Sponsoring Entity”.*

1       (c) *The Administrator shall require any company cov-*  
2 *ered by subsection (a) to provide, not later than 30 days*  
3 *after the date of enactment of this Act, to the Sponsoring*  
4 *Entity written certification that the procedures used by the*  
5 *company to safeguard and dispose of information are in*  
6 *compliance with the requirements under subsection (a).*  
7 *Such certification shall include a description of the proce-*  
8 *dures used by the company to comply with such require-*  
9 *ments.*

10       *SEC. 543. Notwithstanding any other provision of this*  
11 *Act, none of the funds appropriated or otherwise made*  
12 *available by this Act may be used to pay award or incentive*  
13 *fees for contractor performance that has been judged to be*  
14 *below satisfactory performance or performance that does not*  
15 *meet the basic requirements of a contract.*

16       *SEC. 544. (a) Not later than 180 days after the date*  
17 *of enactment of this Act, the Administrator of the Transpor-*  
18 *tation Security Administration shall submit to the Com-*  
19 *mittees on Appropriations of the Senate and the House of*  
20 *Representatives, a report that either—*

21               *(1) certifies that the requirement for screening*  
22 *all air cargo on passenger aircraft by the deadline*  
23 *under section 44901(g) of title 49, United States*  
24 *Code, has been met; or*

1           (2) *includes a strategy to comply with the re-*  
2           *quirements under title 44901(g) of title 49, United*  
3           *States Code, including—*

4                   (A) *a plan to meet the requirement under*  
5                   *section 44901(g) of title 49, United States Code,*  
6                   *to screen 100 percent of air cargo transported on*  
7                   *passenger aircraft arriving in the United States*  
8                   *in foreign air transportation (as that term is de-*  
9                   *finied in section 40102 of that title); and*

10                   (B) *specification of—*

11                           (i) *the percentage of such air cargo*  
12                           *that is being screened; and*

13                           (ii) *the schedule for achieving screening*  
14                           *of 100 percent of such air cargo.*

15           (b) *The Administrator shall continue to submit reports*  
16           *described in subsection (a)(2) every 180 days thereafter*  
17           *until the Administrator certifies that the Transportation*  
18           *Security Administration has achieved screening of 100 per-*  
19           *cent of such air cargo.*

20           SEC. 545. *In developing any process to screen aviation*  
21           *passengers and crews for transportation or national secu-*  
22           *rity purposes, the Secretary of Homeland Security shall en-*  
23           *sure that all such processes take into consideration such*  
24           *passengers' and crews' privacy and civil liberties consistent*  
25           *with applicable laws, regulations, and guidance.*



1        *SEC. 546. (a) Notwithstanding section 1356(n) of title*  
2        *8, United States Code, of the funds deposited into the Immi-*  
3        *gration Examinations Fee Account, \$7,500,000 shall be al-*  
4        *located by United States Citizenship and Immigration*  
5        *Services in fiscal year 2013 for the purpose of providing*  
6        *an immigrant integration grants program.*

7        *(b) For an additional amount for “United States Citi-*  
8        *zenship and Immigration Services” for the purpose of pro-*  
9        *viding immigrant integration grants, \$2,500,000.*

10        *(c) None of the funds made available to United States*  
11        *Citizenship and Immigration Services for grants for immi-*  
12        *grant integration may be used to provide services to aliens*  
13        *who have not been lawfully admitted for permanent resi-*  
14        *dence.*

15        *SEC. 547. For an additional amount for necessary ex-*  
16        *penses for reimbursement of the actual costs to State and*  
17        *local governments for providing emergency management,*  
18        *public safety, and security at events, as determined by the*  
19        *Administrator of the Federal Emergency Management*  
20        *Agency, related to the presence of a National Special Secu-*  
21        *rity Event, \$5,000,000, to remain available until September*  
22        *30, 2014.*

23        *SEC. 548. Notwithstanding the 10 percent limitation*  
24        *contained in section 503(c) of this Act, the Secretary of*  
25        *Homeland Security may transfer to the fund established by*

1 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations  
2 available to the Department of Homeland Security: Pro-  
3 vided, That the Secretary shall notify the Committees on  
4 Appropriations of the Senate and the House of Representa-  
5 tives 5 days in advance of such transfer.

6 SEC. 549. None of the funds appropriated or otherwise  
7 made available by this Act may be used by the Department  
8 of Homeland Security to enter into any Federal contract  
9 unless such contract is entered into in accordance with the  
10 requirements of subtitle I of title 41, United States Code  
11 or chapter 137 of title 10, United States Code, and the Fed-  
12 eral Acquisition Regulation, unless such contract is other-  
13 wise authorized by statute to be entered into without regard  
14 to the above referenced statutes.

15 SEC. 550. (a) For an additional amount for data cen-  
16 ter migration, \$55,000,000.

17 (b) Funds made available in subsection (a) for data  
18 center migration may be transferred by the Secretary of  
19 Homeland Security between appropriations for the same  
20 purpose, notwithstanding section 503 of this Act.

21 (c) No transfer described in subsection (b) shall occur  
22 until 15 days after the Committees on Appropriations of  
23 the Senate and the House of Representatives are notified  
24 of such transfer.

1        *SEC. 551. Notwithstanding any other provision of law,*  
2 *if the Secretary of Homeland Security determines that spe-*  
3 *cific U.S. Immigration and Customs Enforcement Service*  
4 *Processing Centers or other U.S. Immigration and Customs*  
5 *Enforcement owned detention facilities no longer meet the*  
6 *mission need, the Secretary is authorized to dispose of indi-*  
7 *vidual Service Processing Centers or other U.S. Immigra-*  
8 *tion and Customs Enforcement owned detention facilities*  
9 *by directing the Administrator of General Services to sell*  
10 *all real and related personal property which support Serv-*  
11 *ice Processing Centers or other U.S. Immigration and Cus-*  
12 *toms Enforcement owned detention facilities, subject to such*  
13 *terms and conditions as necessary to protect Government*  
14 *interests and meet program requirements: Provided, That*  
15 *the proceeds, net of the costs of sale incurred by the General*  
16 *Services Administration and U.S. Immigration and Cus-*  
17 *toms Enforcement, shall be deposited as offsetting collections*  
18 *into a separate account that shall be available, subject to*  
19 *appropriation, until expended for other real property cap-*  
20 *ital asset needs of existing U.S. Immigration and Customs*  
21 *Enforcement assets, excluding daily operations and mainte-*  
22 *nance costs, as the Secretary deems appropriate: Provided*  
23 *further, That any sale or collocation of federally owned de-*  
24 *tention facilities shall not result in the maintenance of*  
25 *fewer than 34,000 detention beds: Provided further, That*

1 *the Committees on Appropriations of the Senate and the*  
2 *House of Representatives shall be notified 15 days prior to*  
3 *the announcement of any proposed sale or collocation.*

4       *SEC. 552. For an additional amount for the “Office*  
5 *of the Under Secretary for Management”, \$29,000,000, to*  
6 *remain available until expended, for necessary expenses to*  
7 *plan, acquire, design, construct, renovate, remediate, equip,*  
8 *furnish, improve infrastructure, and occupy buildings and*  
9 *facilities for the department headquarters consolidation*  
10 *project and associated mission support consolidation: Pro-*  
11 *vided, That the Committees on Appropriations of the Senate*  
12 *and the House of Representatives shall receive an expendi-*  
13 *ture plan not later than 90 days after the date of enactment*  
14 *of this Act detailing the allocation of these funds.*

15       *SEC. 553. In making grants under the heading “Fire-*  
16 *fighter Assistance Grants”, the Secretary may grant waiv-*  
17 *ers from the requirements in subsections (a)(1)(A),*  
18 *(a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34*  
19 *of the Federal Fire Prevention and Control Act of 1974 (15*  
20 *U.S.C. 2229a).*

21       *SEC. 554. None of the funds made available under this*  
22 *Act or any prior appropriations Act may be provided to*  
23 *the Association of Community Organizations for Reform*  
24 *Now (ACORN), or any of its affiliates, subsidiaries, or al-*  
25 *lied organizations.*

1        *SEC. 555. The Commissioner of U.S. Customs and*  
2 *Border Protection and the Assistant Secretary of Homeland*  
3 *Security for U.S. Immigration and Customs Enforcement*  
4 *shall, with respect to fiscal years 2013, 2014, 2015, and*  
5 *2016, submit to the Committees on Appropriations of the*  
6 *Senate and the House of Representatives, at the time that*  
7 *the President’s budget proposal for fiscal year 2014 is sub-*  
8 *mitted pursuant to the requirements of section 1105(a) of*  
9 *title 31, United States Code, the information required in*  
10 *the multi-year investment and management plans required,*  
11 *respectively, under the headings U.S. Customs and Border*  
12 *Protection, “Salaries and Expenses” under title II of divi-*  
13 *sion D of the Consolidated Appropriations Act, 2012 (Pub-*  
14 *lic Law 112–74), and U.S. Customs and Border Protection,*  
15 *“Border Security Fencing, Infrastructure, and Technology”*  
16 *under such title, and section 568 of such Act.*

17        *SEC. 556. The Secretary of Homeland Security shall*  
18 *ensure enforcement of immigration laws (as defined in sec-*  
19 *tion 101(a)(17) of the Immigration and Nationality Act (8*  
20 *U.S.C. 1101(a)(17))).*

21        *SEC. 557. (a) Notwithstanding Office of Management*  
22 *and Budget Circular A–11, funds made available in fiscal*  
23 *year 2013, or any fiscal year thereafter, under Department*  
24 *of Homeland Security, Coast Guard, “Acquisition, Con-*  
25 *struction, and Improvements” for—*

1           (1) *long lead time materials, components, and*  
2           *designs of a vessel of the Coast Guard shall be imme-*  
3           *diately available and allotted to make a contract*  
4           *award notwithstanding the availability of funds for*  
5           *production, outfitting, post-delivery activities, and*  
6           *spare or repair parts; and*

7           (2) *production of a vessel of the Coast Guard*  
8           *shall be immediately available and allotted to make*  
9           *a contract award notwithstanding the availability of*  
10          *funds for outfitting, post-delivery activities, and spare*  
11          *or repair parts.*

12          (b) *The Secretary of Homeland Security shall develop*  
13          *fiscal policy that prescribes Coast Guard budgetary policies,*  
14          *procedures and technical direction necessary to comply with*  
15          *subsection (a) of this section and consistent with the De-*  
16          *partment of Defense Financial Management Regulation*  
17          *(Volume 2A, Chapter 1 C. Procedures for Full Funding)*  
18          *to include the costs associated with outfitting and post-de-*  
19          *livery activities; spare and repair parts; and long lead time*  
20          *materials. The requirement set forth in this section shall*  
21          *not preclude the immediate availability or allotment of*  
22          *funds for fiscal year 2013, pursuant to subsection (a).*

23          (c) *In this section—*

24               (1) *the term “long lead time items” means com-*  
25               *ponents, parts, material, or effort which must be pro-*

1        *cured in advance of the production award in order to*  
2        *maintain the production schedule;*

3            *(2) the term “outfitting” means procurement or*  
4        *installation of onboard repair parts, other secondary*  
5        *items, equipage, and recreation items;*  
6        *precommissioning crew support; general use*  
7        *consumables furnished to the shipbuilder; the fitting*  
8        *out activity to fill a vessel’s initial allowances; and*  
9        *contractor-furnished spares; and*

10           *(3) the term “post-delivery activities” means de-*  
11        *sign, planning, Government-furnished material, and*  
12        *related labor for non-production and non-long lead*  
13        *time items contract activities and other work, includ-*  
14        *ing certifications, full operational capability activi-*  
15        *ties and other equipment installation; spares, logis-*  
16        *tics, technical analysis, and support; correction of*  
17        *Government-responsible defects and deficiencies iden-*  
18        *tified during builders trials, acceptance trials, and*  
19        *testing during the post-delivery period; costs of all*  
20        *work required to correct defects or deficiencies identi-*  
21        *fied during the post-delivery period; and costs of all*  
22        *work required to correct trial card deficiencies on a*  
23        *vessel of a particular class, as well as on subsequent*  
24        *vessels of that class (whether or not delivered) until*  
25        *the corrective action for that cutter class is completed.*

1        *SEC. 558. (a) Of the amounts made available by this*  
2 *Act for National Protection and Programs Directorate, “In-*  
3 *frastructure Protection and Information Security”,*  
4 *\$202,000,000 for the “Federal Network Security” program,*  
5 *project, and activity shall be used to deploy on Federal sys-*  
6 *tems technology to improve the information security of*  
7 *agency information systems covered by section 3543(a) of*  
8 *title 44, United States Code: Provided, That funds made*  
9 *available under this section shall be used to assist and sup-*  
10 *port Government-wide and agency-specific efforts to provide*  
11 *adequate, risk-based, and cost-effective cybersecurity to ad-*  
12 *dress escalating and rapidly evolving threats to information*  
13 *security, including the acquisition and operation of a con-*  
14 *tinuous monitoring and diagnostics program, in collabora-*  
15 *tion with departments and agencies, that includes equip-*  
16 *ment, software, and Department of Homeland Security sup-*  
17 *plied services: Provided further, That not later than April*  
18 *1, 2013, and quarterly thereafter, the Under Secretary of*  
19 *Homeland Security of the National Protection and Pro-*  
20 *grams Directorate shall submit to the Committees on Ap-*  
21 *propriations of the Senate and House of Representatives a*  
22 *report on the obligation and expenditure of funds made*  
23 *available under this section: Provided further, That contin-*  
24 *uous monitoring and diagnostics software procured by the*  
25 *funds made available by this section shall not transmit to*



1 *the Department of Homeland Security any personally iden-*  
2 *tifiable information or content of network communications*  
3 *of other agencies' users: Provided further, That such soft-*  
4 *ware shall be installed, maintained, and operated in ac-*  
5 *cordance with all applicable privacy laws and agency-spe-*  
6 *cific policies regarding network content.*

7       *(b) Funds made available under this section may not*  
8 *be used to supplant funds provided for any such system*  
9 *within an agency budget.*

10       *(c) Not later than July 1, 2013, the heads of all Federal*  
11 *agencies shall submit to the Committees on Appropriations*  
12 *of the Senate and House of Representatives expenditure*  
13 *plans for necessary cybersecurity improvements to address*  
14 *known vulnerabilities to information systems described in*  
15 *subsection (a).*

16       *(d) Not later than October 1, 2013, and quarterly*  
17 *thereafter, the head of each Federal agency shall submit to*  
18 *the Director of the Office of Management and Budget a re-*  
19 *port on the execution of the expenditure plan for that agen-*  
20 *cy required by subsection (c): Provided, That the Director*  
21 *of the Office of Management and Budget shall summarize*  
22 *such execution reports and annually submit such sum-*  
23 *maries to Congress in conjunction with the annual progress*  
24 *report on implementation of the E-Government Act of 2002*

1 *(Public Law 107–347), as required by section 3606 of title*  
2 *44, United States Code.*

3 *(e) This section shall not apply to the legislative and*  
4 *judicial branches of the Federal Government and shall*  
5 *apply to all Federal agencies within the executive branch*  
6 *except for the Department of Defense, the Central Intel-*  
7 *ligence Agency, and the Office of the Director of National*  
8 *Intelligence.*

9 *SEC. 559. (a) None of the funds made available in this*  
10 *Act may be used to maintain or establish a computer net-*  
11 *work unless such network blocks the viewing, downloading,*  
12 *and exchanging of pornography.*

13 *(b) Nothing in subsection (a) shall limit the use of*  
14 *funds necessary for any Federal, State, tribal, or local law*  
15 *enforcement agency or any other entity carrying out crimi-*  
16 *nal investigations, prosecution, or adjudication activities.*

17 *SEC. 560. (a) Notwithstanding sections 58c(e) and*  
18 *1451 of title 19, United States Code, upon the request of*  
19 *any persons, the Commissioner of U.S. Customs and Border*  
20 *Protection may enter into reimbursable fee agreements for*  
21 *a period of up to 5 years with such persons for the provision*  
22 *of U.S. Customs and Border Protection services and any*  
23 *other costs incurred by U.S. Customs and Border Protection*  
24 *relating to such services. Such requests may include addi-*  
25 *tional U.S. Customs and Border Protection services at ex-*

1 *isting U.S. Customs and Border Protection-serviced facili-*  
2 *ties (including but not limited to payment for overtime),*  
3 *the provision of U.S. Customs and Border Protection serv-*  
4 *ices at new facilities, and expanded U.S. Customs and Bor-*  
5 *der Protection services at land border facilities.*

6           (1) *By December 31, 2013, the Commissioner*  
7 *may enter into not more than 5 agreements under*  
8 *this section.*

9           (2) *The Commissioner shall not enter into such*  
10 *an agreement if it would unduly and permanently*  
11 *impact services funded in this or any other appro-*  
12 *priations Acts, or provided from any accounts in the*  
13 *Treasury of the United States derived by the collec-*  
14 *tion of fees.*

15       (b) *Funds collected pursuant to any agreement entered*  
16 *into under this section shall be deposited in a newly estab-*  
17 *lished account as offsetting collections and remain available*  
18 *until expended, without fiscal year limitation, and shall di-*  
19 *rectly reimburse each appropriation for the amount paid*  
20 *out of that appropriation for any expenses incurred by U.S.*  
21 *Customs and Border Protection in providing U.S. Customs*  
22 *and Border Protection services and any other costs incurred*  
23 *by U.S. Customs and Border Protection relating to such*  
24 *services.*

1       (c) *The amount of the fee to be charged pursuant to*  
2 *an agreement authorized under subsection (a) of this section*  
3 *shall be paid by each person requesting U.S. Customs and*  
4 *Border Protection services and shall include, but shall not*  
5 *be limited to, the salaries and expenses of individuals em-*  
6 *ployed by U.S. Customs and Border Protection to provide*  
7 *such U.S. Customs and Border Protection services and other*  
8 *costs incurred by U.S. Customs and Border Protection re-*  
9 *lating to those services, such as temporary placement or per-*  
10 *manent relocation of those individuals.*

11       (d) *U.S. Customs and Border Protection shall termi-*  
12 *nate the provision of services pursuant to an agreement en-*  
13 *tered into under subsection (a) with a person that, after*  
14 *receiving notice from the Commissioner that a fee imposed*  
15 *under subsection (a) is due, fails to pay the fee in a timely*  
16 *manner. In the event of such termination, all costs incurred*  
17 *by U.S. Customs and Border Protection, which have not*  
18 *been reimbursed, will become immediately due and payable.*  
19 *Interest on unpaid fees will accrue based on current U.S.*  
20 *Treasury borrowing rates. Additionally, any person who,*  
21 *after notice and demand for payment of any fee charged*  
22 *under subsection (a) of this section, fails to pay such fee*  
23 *in a timely manner shall be liable for a penalty or liq-*  
24 *uidated damage equal to two times the amount of the fee.*  
25 *Any amount collected pursuant to any agreement entered*

1 *into under this subsection shall be deposited into the ac-*  
2 *count specified under subsection (b) of this section and shall*  
3 *be available as described therein.*

4 *(e) Each facility at which such U.S. Customs and Bor-*  
5 *der Protection services are performed shall provide, main-*  
6 *tain, and equip, without cost to the Government, facilities*  
7 *in accordance with U.S. Customs and Border Protection*  
8 *specifications.*

9 *(f) The authority found in this section may not be used*  
10 *to enter into agreements to expand or begin to provide U.S.*  
11 *Customs and Border Protection services outside of the*  
12 *United States.*

13 *(g) The authority found in this section may not be*  
14 *used at existing U.S. Customs and Border Protection-serv-*  
15 *iced air facilities to enter into agreements for costs other*  
16 *than payment of overtime.*

17 *(h) The Commissioner shall notify the appropriate*  
18 *Committees of Congress 15 days prior to entering into any*  
19 *agreement under the authority of this section and shall pro-*  
20 *vide a copy of the agreement to the appropriate Committees*  
21 *of Congress.*

22 *(i) For purposes of this section the terms:*

23 *(1) U.S. Customs and Border Protection “serv-*  
24 *ices” means any activities of any employee or con-*  
25 *tractor of U.S. Customs and Border Protection per-*

1        *taining to customs and immigration inspection-re-*  
2        *lated matters.*

3            (2) “Person” means any natural person or any  
4        *corporation, partnership, trust, association, or any*  
5        *other public or private entity, or any officer, em-*  
6        *ployee, or agent thereof.*

7            (3) “Appropriate Committees of Congress”  
8        *means the Committees on Appropriations; Finance;*  
9        *Judiciary; and Homeland Security and Govern-*  
10       *mental Affairs of the Senate and the Committees on*  
11       *Appropriations; Judiciary; Ways and Means; and*  
12       *Homeland Security of the House of Representatives.*

13        *SEC. 561. None of the funds made available under this*  
14       *Act may be used by a Federal law enforcement officer to*  
15       *facilitate the transfer of an operable firearm to an indi-*  
16       *vidual if the Federal law enforcement officer knows or sus-*  
17       *pects that the individual is an agent of a drug cartel unless*  
18       *law enforcement personnel of the United States continu-*  
19       *ously monitor or control the firearm at all times.*

20        *SEC. 562. Twenty percent of each of the appropriations*  
21       *provided in this Act for the “Office of the Secretary and*  
22       *Executive Management”, the “Office of the Under Secretary*  
23       *for Management”, and the “Office of the Chief Financial*  
24       *Officer” shall be withheld from obligation until the reports*  
25       *and plans required in this Act to be submitted on or before*

1 *May 1, 2013, are received by the Committees on Appropria-*  
2 *tions of the Senate and the House of Representatives.*

3 *SEC. 563. Notwithstanding any other provision of this*  
4 *Act or any other provision of law, during the period begin-*  
5 *ning on October 1, 2013, and ending on September 30,*  
6 *2014, section 204(a)(1)(I) of the Immigration and Nation-*  
7 *ality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding*  
8 *at the end the following:*

9 *“(iv) Each petition to compete for con-*  
10 *sideration for a visa under section 1153(c)*  
11 *of this title shall be accompanied by a fee*  
12 *equal to \$30. All amounts collected under*  
13 *this clause shall be deposited into the Treas-*  
14 *ury as miscellaneous receipts.”:*

15 *Provided, That the Department of State, in consultation*  
16 *with the Department of Homeland Security, shall report*  
17 *to the Committees on Appropriations of the Senate and the*  
18 *House of Representatives not later than 90 days after the*  
19 *date of enactment of this Act on the steps being taken to*  
20 *implement the recommendations of GAO–07–1174.*

21 *SEC. 564. The Administrator of the Federal Emer-*  
22 *gency Management Agency shall cancel the liquidated bal-*  
23 *ances of all remaining uncanceled or partially cancelled*  
24 *loans disbursed under the Community Disaster Loan Act*  
25 *of 2005 (Public Law 109–88) and the Emergency Supple-*

1 *mental Appropriations Act for Defense, the Global War on*  
2 *Terror, and Hurricane Recovery, 2006 (Public Law 109–*  
3 *234), as amended by section 4502 of the U.S. Troop Readi-*  
4 *ness, Veterans’ Care, Katrina Recovery, and Iraq Account-*  
5 *ability Appropriations Act, 2007 (Public Law 110–28) to*  
6 *the extent that revenues of the local government during the*  
7 *period following the major disaster are insufficient to meet*  
8 *the budget of the local government, including additional dis-*  
9 *aster-related expenses of a municipal character. In calcu-*  
10 *lating a community’s revenues while determining cancella-*  
11 *tion, the Administrator shall exclude revenues for special*  
12 *districts and any other revenues that are required by law*  
13 *to be disbursed to other units of local government or used*  
14 *for specific purposes more limited than the scope allowed*  
15 *by the General Fund. In calculating a community’s ex-*  
16 *penses, the Administrator shall include disaster-related cap-*  
17 *ital expenses for which the community has not been reim-*  
18 *bursed by Federal or insurance proceeds, debt service ex-*  
19 *penses, and accrued but unpaid uncompensated absences*  
20 *(vacation and sick pay). In calculating the operating deficit*  
21 *of the local government, the Administrator shall also con-*  
22 *sider all interfund transfers. When considering the period*  
23 *following the disaster, the Administrator may consider a*  
24 *period of 3, 5, or 7 full fiscal years after the disaster, begin-*  
25 *ning on the date of the declaration, in determining eligi-*



1 bility for cancellation. The criteria for cancellation do not  
2 apply to those loans already cancelled in full. Applicants  
3 shall submit supplemental documentation in support of  
4 their applications for cancellation on or before April 30,  
5 2014, and the Administrator shall issue determinations and  
6 resolve any appeals on or before April 30, 2015. Loans not  
7 cancelled in full shall be repaid not later than September  
8 30, 2035. The Administrator may use funds provided under  
9 Public Law 109–88 to reimburse those communities that  
10 have repaid all or a portion of loans, including interest,  
11 provided as Special Community Disaster Loans under Pub-  
12 lic Law 109–88 or Public Law 109–234, as amended by  
13 section 4502 of Public Law 110–28. Further, the Adminis-  
14 trator may use funds provided under Public Law 109–88  
15 for necessary expenses to carry out this provision.

16       SEC. 565. The Inspector General shall review the ap-  
17 plications for public assistance provided through the Dis-  
18 aster Relief Fund with a project cost that exceeds  
19 \$10,000,000 and the resulting decisions issued by the Fed-  
20 eral Emergency Management Agency for category A debris  
21 removal for DR–1786 upon receipt of a request from an  
22 applicant made no earlier than 90 days after filing an ap-  
23 peal with the Federal Emergency Management Agency  
24 without regard to whether the Administrator of the Federal  
25 Emergency Management Agency has issued a final agency

1 *determination on the application for assistance: Provided,*  
2 *That not later than 180 days after the date of such request,*  
3 *the Inspector General shall determine whether the Federal*  
4 *Emergency Management Agency correctly applied its rules*  
5 *and regulations to determine eligibility of the applicant's*  
6 *claim: Provided further, That if the Inspector General finds*  
7 *that the Federal Emergency Management Agency deter-*  
8 *minations related to eligibility and cost involved a*  
9 *misapplication of its rules and regulations, the applicant*  
10 *may submit the dispute to the arbitration process estab-*  
11 *lished under the authority granted under section 601 of*  
12 *Public Law 111-5 not later than 15 days after the date*  
13 *of issuance of the Inspector General's finding in the pre-*  
14 *vious proviso: Provided further, That if the Inspector Gen-*  
15 *eral finds that the Federal Emergency Management Agency*  
16 *provided unauthorized funding, that the Federal Emergency*  
17 *Management Agency shall take corrective action.*

18       *SEC. 566. None of the funds provided in this or any*  
19 *other Act may be obligated to implement the National Pre-*  
20 *paredness Grant Program or any other successor grant pro-*  
21 *grams unless explicitly authorized by Congress.*

22       *SEC. 567. None of the funds made available by this*  
23 *Act may be used to provide funding for the position of Pub-*  
24 *lic Advocate within U.S. Immigration and Customs En-*  
25 *forcement.*

1        *SEC. 568. None of the funds made available in this*  
2   *Act may be used to reimburse any Federal department or*  
3   *agency for its participation in a National Special Security*  
4   *Event.*

5        SEC. 569. None of the funds made available in this  
6 Act may be used to pay for the travel to or attendance of  
7 more than 50 employees of a single component of the De-  
8 partment of Homeland Security, who are stationed in the  
9 United States, at a single international conference unless  
10 the Secretary of Homeland Security determines that such  
11 attendance is in the national interest and notifies the Com-  
12 mittees on Appropriations of the Senate and the House of  
13 Representatives within at least 10 days of that determina-  
14 tion and the basis for that determination: Provided, That  
15 for purposes of this section the term “international con-  
16 ference” shall mean a conference occurring outside of the  
17 United States attended by representatives of the United  
18 States Government and of foreign governments, inter-  
19 national organizations, or nongovernmental organizations.

20 *(RESCISSIONS)*

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress

1 *as an emergency requirement pursuant to a concurrent res-*  
2 *olution on the budget or the Balanced Budget and Emer-*  
3 *gency Deficit Control Act of 1985, as amended:*

4 (1) \$1,800,000 from Public Law 112–74 under  
5 the heading “Analysis and Operations”;

6 (2) \$73,232,000 from funds made available in  
7 Public Law 112–10 and Public Law 112–74 under  
8 the heading U.S. Customs and Border Protection,  
9 “Border Security Fencing, Infrastructure, and Tech-  
10 nology”;

11 (3) \$3,108,311 from unobligated prior year bal-  
12 ances from U.S. Immigration and Customs Enforce-  
13 ment, “Construction”;

14 (4) \$25,000,000 from Public Law 110–329 under  
15 the heading Coast Guard “Acquisition, Construction,  
16 and Improvements”;

17 (5) \$43,000,000 from Public Law 111–83 under  
18 the heading Coast Guard “Acquisition, Construction,  
19 and Improvements”;

20 (6) \$63,500,000 from Public Law 112–10 under  
21 the heading Coast Guard “Acquisition, Construction,  
22 and Improvements”;

23 (7) \$23,000,000 from Public Law 112–74 under  
24 the heading Coast Guard “Acquisition, Construction,  
25 and Improvements”; and

5        *SEC. 571. Of the funds provided in Public Law 110–*  
6    *161, Public Law 110–329, and Public Law 111–83, under*  
7    *the heading “National Predisaster Mitigation Fund” for*  
8    *congressionally directed spending items, \$12,000,000 are re-*  
9    *scinded from projects for which no applications were sub-*  
10    *mitted or from projects which were completed for an*  
11    *amount less than that appropriated.*

SEC. 572. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

18 (2) \$445,328 from U.S. Customs and Border  
19 Protection “Salaries and Expenses”;

(4) \$86,597 from U.S. Immigration and Customs  
Enforcement “Violent Crime Reduction Programs”;

(5) \$1,739 from Coast Guard “Acquisition, Construction, and Improvements”;

1           (6) \$1,329,239 from *Federal Emergency Manage-*  
2           *ment Agency “Office of Domestic Preparedness”*;

3           (7) \$3,262,677 from *Federal Emergency Manage-*  
4           *ment Agency “National Predisaster Mitigation*  
5           *Fund”*; and

6           (8) \$2,291,844 from *Transportation Security*  
7           *Administration “Administration”*.

8                                 (RESCISSIONS)

9           SEC. 573. *The following unobligated balances made*  
10          *available to the Department of Homeland Security pursu-*  
11          *ant to section 505 of the Department of Homeland Security*  
12          *Appropriations Act, 2012 (Public Law 112–74; 125 Stat.*  
13          *984) are rescinded:*

14                 (1) \$314,674 from *“Office of the Secretary and*  
15                 *Executive Management”*;

16                 (2) \$185,813 from *“Office of the Under Secretary*  
17                 *for Management”*;

18                 (3) \$114,391 from *“Office of the Chief Financial*  
19                 *Officer”*;

20                 (4) \$59,507 from *“Office of the Chief Informa-*  
21                 *tion Officer”*;

22                 (5) \$568,188 from *“Analysis and Operations”*;

23                 (6) \$45,525 from *“Office of Inspector General”*;

24                 (7) \$568,480 from *U.S. Customs and Border*  
25                 *Protection “Salaries and Expenses”*;

1           (8) \$3,581,483 from *U.S. Immigration and Customs Enforcement* “*Salaries and Expenses*”;

3           (9) \$1,075,942 from *Transportation Security Administration* “*Federal Air Marshals*”;

5           (10) \$18,142,454 from *Coast Guard* “*Operating Expenses*”;

7           (11) \$991,520 from *Coast Guard* “*Reserve Training*”;

9           (12) \$1,033,599 from *Coast Guard* “*Acquisition, Construction, and Improvements*”;

11          (13) \$2,371,377 from *United States Secret Service* “*Salaries and Expenses*”;

13          (14) \$82,084 from *National Protection and Programs Directorate* “*Management and Administration*”;

16          (15) \$1,683,470 from *National Protection and Programs Directorate* “*Infrastructure Protection and Information Security*”;

18          (16) \$184,583 from *National Protection and Programs Directorate* “*United States Visitor and Immigrant Status Indicator Technology*”;

22          (17) \$259,874 from *Federal Emergency Management Agency* “*Salaries and Expenses*”;

24          (18) \$206,722 from *Federal Emergency Management Agency* “*State and Local Programs*”;

1           (19) \$450,017 from Office of Health Affairs;

2           (20) \$205,799 from United States Citizenship  
3           and Immigration Services;

4           (21) \$512,660 from Federal Law Enforcement  
5           Training Center “Salaries and Expenses”;

6           (22) \$244,553 from Science and Technology  
7           “Management and Administration”; and

8           (23) \$128,565 from Domestic Nuclear Detection  
9           Office “Management and Administration”.

10        SEC. 574. Fourteen days after the Secretary of Home-  
11        land Security submits a report required under this division  
12        to the Committees on Appropriations of the Senate and the  
13        House of Representatives, the Secretary shall submit a copy  
14        of that report to the Committee on Homeland Security and  
15        Governmental Affairs of the Senate and the Committee on  
16        Homeland Security of the House of Representatives.

17        This division may be cited as the “Department of  
18        Homeland Security Appropriations Act, 2013”.

19        ***DIVISION E—MILITARY CONSTRUCTION***  
20        ***AND VETERANS AFFAIRS, AND RE-***  
21        ***LATED AGENCIES APPROPRIATIONS***  
22        ***ACT, 2013***

23        The following sums are hereby appropriated, out of  
24        any money in the Treasury not otherwise appropriated, for  
25        military construction, the Department of Veterans Affairs,



1 *and related agencies for the fiscal year ending September*  
2 *30, 2013, and for other purposes, namely:*

3 *TITLE I*

4 *DEPARTMENT OF DEFENSE*

5 *MILITARY CONSTRUCTION, ARMY*

6 *For acquisition, construction, installation, and equip-*  
7 *ment of temporary or permanent public works, military in-*  
8 *stallations, facilities, and real property for the Army as*  
9 *currently authorized by law, including personnel in the*  
10 *Army Corps of Engineers and other personal services nec-*  
11 *essary for the purposes of this appropriation, and for con-*  
12 *struction and operation of facilities in support of the func-*  
13 *tions of the Commander in Chief, \$1,684,323,000, to remain*  
14 *available until September 30, 2017: Provided, That of this*  
15 *amount, not to exceed \$80,173,000 shall be available for*  
16 *study, planning, design, architect and engineer services,*  
17 *and host nation support, as authorized by law, unless the*  
18 *Secretary of Army determines that additional obligations*  
19 *are necessary for such purposes and notifies the Committees*  
20 *on Appropriations of both Houses of Congress of the deter-*  
21 *mination and the reasons therefor.*

22 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

23 *For acquisition, construction, installation, and equip-*  
24 *ment of temporary or permanent public works, naval in-*  
25 *stallations, facilities, and real property for the Navy and*

1 *Marine Corps as currently authorized by law, including*  
2 *personnel in the Naval Facilities Engineering Command*  
3 *and other personal services necessary for the purposes of this*  
4 *appropriation, \$1,549,164,000, to remain available until*  
5 *September 30, 2017: Provided, That of this amount, not to*  
6 *exceed \$102,619,000 shall be available for study, planning,*  
7 *design, and architect and engineer services, as authorized*  
8 *by law, unless the Secretary of Navy determines that addi-*  
9 *tional obligations are necessary for such purposes and noti-*  
10 *fies the Committees on Appropriations of both Houses of*  
11 *Congress of the determination and the reasons therefor.*

12 *MILITARY CONSTRUCTION, AIR FORCE*

13 *For acquisition, construction, installation, and equip-*  
14 *ment of temporary or permanent public works, military in-*  
15 *stallations, facilities, and real property for the Air Force*  
16 *as currently authorized by law, \$322,543,000, to remain*  
17 *available until September 30, 2017: Provided, That of this*  
18 *amount, not to exceed \$18,635,000 shall be available for*  
19 *study, planning, design, and architect and engineer serv-*  
20 *ices, as authorized by law, unless the Secretary of Air Force*  
21 *determines that additional obligations are necessary for*  
22 *such purposes and notifies the Committees on Appropria-*  
23 *tions of both Houses of Congress of the determination and*  
24 *the reasons therefor.*

1            *MILITARY CONSTRUCTION, DEFENSE-WIDE*2            *(INCLUDING TRANSFER OF FUNDS)*

3            *For acquisition, construction, installation, and equip-*  
4 *ment of temporary or permanent public works, installa-*  
5 *tions, facilities, and real property for activities and agen-*  
6 *cies of the Department of Defense (other than the military*  
7 *departments), as currently authorized by law,*  
8 *\$3,582,423,000, to remain available until September 30,*  
9 *2017: Provided, That such amounts of this appropriation*  
10 *as may be determined by the Secretary of Defense may be*  
11 *transferred to such appropriations of the Department of De-*  
12 *fense available for military construction or family housing*  
13 *as the Secretary may designate, to be merged with and to*  
14 *be available for the same purposes, and for the same time*  
15 *period, as the appropriation or fund to which transferred:*  
16 *Provided further, That of the amount appropriated, not to*  
17 *exceed \$315,562,000 shall be available for study, planning,*  
18 *design, and architect and engineer services, as authorized*  
19 *by law, unless the Secretary of Defense determines that ad-*  
20 *ditional obligations are necessary for such purposes and no-*  
21 *tifies the Committees on Appropriations of both Houses of*  
22 *Congress of the determination and the reasons therefor: Pro-*  
23 *vided further, That of the amount appropriated, notwith-*  
24 *standing any other provision of law, \$26,969,000 shall be*  
25 *available for payments to the North Atlantic Treaty Orga-*

1 nization for the planning, design, and construction of a new  
2 North Atlantic Treaty Organization headquarters.

3 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

4 *For construction, acquisition, expansion, rehabilita-*  
5 *tion, and conversion of facilities for the training and ad-*  
6 *ministration of the Army National Guard, and contribu-*  
7 *tions therefor, as authorized by chapter 1803 of title 10,*  
8 *United States Code, and Military Construction Authoriza-*  
9 *tion Acts, \$613,799,000, to remain available until Sep-*  
10 *tember 30, 2017: Provided, That of the amount appro-*  
11 *priated, not to exceed \$26,622,000 shall be available for*  
12 *study, planning, design, and architect and engineer serv-*  
13 *ices, as authorized by law, unless the Director of the Army*  
14 *National Guard determines that additional obligations are*  
15 *necessary for such purposes and notifies the Committees on*  
16 *Appropriations of both Houses of Congress of the determina-*  
17 *tion and the reasons therefor.*

18 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

19 *For construction, acquisition, expansion, rehabilita-*  
20 *tion, and conversion of facilities for the training and ad-*  
21 *ministration of the Air National Guard, and contributions*  
22 *therefor, as authorized by chapter 1803 of title 10, United*  
23 *States Code, and Military Construction Authorization Acts,*  
24 *\$42,386,000, to remain available until September 30, 2017:*  
25 *Provided, That of the amount appropriated, not to exceed*

1 \$4,000,000 shall be available for study, planning, design,  
2 and architect and engineer services, as authorized by law,  
3 unless the Director of the Air National Guard determines  
4 that additional obligations are necessary for such purposes  
5 and notifies the Committees on Appropriations of both  
6 Houses of Congress of the determination and the reasons  
7 therefor.

8 *MILITARY CONSTRUCTION, ARMY RESERVE*

9 *For construction, acquisition, expansion, rehabilita-*  
10 *tion, and conversion of facilities for the training and ad-*  
11 *ministration of the Army Reserve as authorized by chapter*  
12 *1803 of title 10, United States Code, and Military Con-*  
13 *struction Authorization Acts, \$305,846,000, to remain*  
14 *available until September 30, 2017: Provided, That of the*  
15 *amount appropriated, not to exceed \$15,951,000 shall be*  
16 *available for study, planning, design, and architect and en-*  
17 *gineer services, as authorized by law, unless the Chief of*  
18 *the Army Reserve determines that additional obligations*  
19 *are necessary for such purposes and notifies the Committees*  
20 *on Appropriations of both Houses of Congress of the deter-*  
21 *mination and the reasons therefor.*

22 *MILITARY CONSTRUCTION, NAVY RESERVE*

23 *For construction, acquisition, expansion, rehabilita-*  
24 *tion, and conversion of facilities for the training and ad-*  
25 *ministration of the reserve components of the Navy and Ma-*

1 *rine Corps as authorized by chapter 1803 of title 10, United*  
2 *States Code, and Military Construction Authorization Acts,*  
3 *\$49,532,000, to remain available until September 30, 2017:*  
4 *Provided, That of the amount appropriated, not to exceed*  
5 *\$2,118,000 shall be available for study, planning, design,*  
6 *and architect and engineer services, as authorized by law,*  
7 *unless the Secretary of the Navy determines that additional*  
8 *obligations are necessary for such purposes and notifies the*  
9 *Committees on Appropriations of both Houses of Congress*  
10 *of the determination and the reasons therefor.*

11 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

12 *For construction, acquisition, expansion, rehabilita-*  
13 *tion, and conversion of facilities for the training and ad-*  
14 *ministration of the Air Force Reserve as authorized by*  
15 *chapter 1803 of title 10, United States Code, and Military*  
16 *Construction Authorization Acts, \$10,979,000, to remain*  
17 *available until September 30, 2017: Provided, That of the*  
18 *amount appropriated, not to exceed \$2,879,000 shall be*  
19 *available for study, planning, design, and architect and en-*  
20 *gineer services, as authorized by law, unless the Chief of*  
21 *the Air Force Reserve determines that additional obliga-*  
22 *tions are necessary for such purposes and notifies the Com-*  
23 *mittees on Appropriations of both Houses of Congress of the*  
24 *determination and the reasons therefor.*

1            *NORTH ATLANTIC TREATY ORGANIZATION*2            *SECURITY INVESTMENT PROGRAM*

3            *For the United States share of the cost of the North*  
4 *Atlantic Treaty Organization Security Investment Pro-*  
5 *gram for the acquisition and construction of military facili-*  
6 *ties and installations (including international military*  
7 *headquarters) and for related expenses for the collective de-*  
8 *fense of the North Atlantic Treaty Area as authorized by*  
9 *section 2806 of title 10, United States Code, and Military*  
10 *Construction Authorization Acts, \$254,163,000, to remain*  
11 *available until expended.*

12            *FAMILY HOUSING CONSTRUCTION, ARMY*

13            *For expenses of family housing for the Army for con-*  
14 *struction, including acquisition, replacement, addition, ex-*  
15 *pansion, extension, and alteration, as authorized by law,*  
16 *\$4,641,000, to remain available until September 30, 2017.*

17            *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

18            *For expenses of family housing for the Army for oper-*  
19 *ation and maintenance, including debt payment, leasing,*  
20 *minor construction, principal and interest charges, and in-*  
21 *surance premiums, as authorized by law, \$530,051,000.*

22            *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*23            *CORPS*

24            *For expenses of family housing for the Navy and Ma-*  
25 *rine Corps for construction, including acquisition, replace-*

1 *ment, addition, expansion, extension, and alteration, as au-*  
2 *thorized by law, \$102,182,000, to remain available until*  
3 *September 30, 2017.*

4 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*  
5 *AND MARINE CORPS*

6 *For expenses of family housing for the Navy and Ma-*  
7 *rine Corps for operation and maintenance, including debt*  
8 *payment, leasing, minor construction, principal and inter-*  
9 *est charges, and insurance premiums, as authorized by law,*  
10 *\$378,230,000.*

11 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

12 *For expenses of family housing for the Air Force for*  
13 *construction, including acquisition, replacement, addition,*  
14 *expansion, extension, and alteration, as authorized by law,*  
15 *\$83,824,000, to remain available until September 30, 2017.*

16 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*  
17 *FORCE*

18 *For expenses of family housing for the Air Force for*  
19 *operation and maintenance, including debt payment, leas-*  
20 *ing, minor construction, principal and interest charges,*  
21 *and insurance premiums, as authorized by law,*  
22 *\$497,829,000.*



7 DEPARTMENT OF DEFENSE FAMILY HOUSING  
8 IMPROVEMENT FUND

15 *CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-*  
16 *WIDE*

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1 2017, which shall be only for the Assembled Chemical Weap-  
2 ons Alternatives program.

3 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

4 *For deposit into the Department of Defense Base Clo-*  
5 *sure Account 1990, established by section 2906(a)(1) of the*  
6 *Defense Base Closure and Realignment Act of 1990 (10*  
7 *U.S.C. 2687 note), \$409,396,000, to remain available until*  
8 *expended.*

9 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

10 *For deposit into the Department of Defense Base Clo-*  
11 *sure Account 2005, established by section 2906A(a)(1) of the*  
12 *Defense Base Closure and Realignment Act of 1990 (10*  
13 *U.S.C. 2687 note), \$126,697,000, to remain available until*  
14 *expended: Provided, That the Department of Defense shall*  
15 *notify the Committees on Appropriations of both Houses of*  
16 *Congress 14 days prior to obligating an amount for a con-*  
17 *struction project that exceeds or reduces the amount identi-*  
18 *fied for that project in the most recently submitted budget*  
19 *request for this account by 20 percent or \$2,000,000, which-*  
20 *ever is less: Provided further, That the previous proviso*  
21 *shall not apply to projects costing less than \$5,000,000, ex-*  
22 *cept for those projects not previously identified in any budg-*  
23 *et submission for this account and exceeding the minor con-*  
24 *struction threshold under section 2805 of title 10, United*  
25 *States Code.*

1                    *ADMINISTRATIVE PROVISIONS*

2            *SEC. 101. None of the funds made available in this*  
3 *title shall be expended for payments under a cost-plus-a-*  
4 *fixed-fee contract for construction, where cost estimates ex-*  
5 *ceed \$25,000, to be performed within the United States, ex-*  
6 *cept Alaska, without the specific approval in writing of the*  
7 *Secretary of Defense setting forth the reasons therefor.*

8            *SEC. 102. Funds made available in this title for con-*  
9 *struction shall be available for hire of passenger motor vehi-*  
10 *cles.*

11          *SEC. 103. Funds made available in this title for con-*  
12 *struction may be used for advances to the Federal Highway*  
13 *Administration, Department of Transportation, for the con-*  
14 *struction of access roads as authorized by section 210 of*  
15 *title 23, United States Code, when projects authorized there-*  
16 *in are certified as important to the national defense by the*  
17 *Secretary of Defense.*

18          *SEC. 104. None of the funds made available in this*  
19 *title may be used to begin construction of new bases in the*  
20 *United States for which specific appropriations have not*  
21 *been made.*

22          *SEC. 105. None of the funds made available in this*  
23 *title shall be used for purchase of land or land easements*  
24 *in excess of 100 percent of the value as determined by the*  
25 *Army Corps of Engineers or the Naval Facilities Engineer-*

1 *ing Command, except: (1) where there is a determination*  
2 *of value by a Federal court; (2) purchases negotiated by*  
3 *the Attorney General or the designee of the Attorney Gen-*  
4 *eral; (3) where the estimated value is less than \$25,000; or*  
5 *(4) as otherwise determined by the Secretary of Defense to*  
6 *be in the public interest.*

7       *SEC. 106. None of the funds made available in this*  
8 *title shall be used to: (1) acquire land; (2) provide for site*  
9 *preparation; or (3) install utilities for any family housing,*  
10 *except housing for which funds have been made available*  
11 *in annual Acts making appropriations for military con-*  
12 *struction.*

13       *SEC. 107. None of the funds made available in this*  
14 *title for minor construction may be used to transfer or relo-*  
15 *cate any activity from one base or installation to another,*  
16 *without prior notification to the Committees on Appropria-*  
17 *tions of both Houses of Congress.*

18       *SEC. 108. None of the funds made available in this*  
19 *title may be used for the procurement of steel for any con-*  
20 *struction project or activity for which American steel pro-*  
21 *ducers, fabricators, and manufacturers have been denied the*  
22 *opportunity to compete for such steel procurement.*

23       *SEC. 109. None of the funds available to the Depart-*  
24 *ment of Defense for military construction or family housing*

1 *during the current fiscal year may be used to pay real prop-*  
2 *erty taxes in any foreign nation.*

3 *SEC. 110. None of the funds made available in this*  
4 *title may be used to initiate a new installation overseas*  
5 *without prior notification to the Committees on Appropria-*  
6 *tions of both Houses of Congress.*

7 *SEC. 111. None of the funds made available in this*  
8 *title may be obligated for architect and engineer contracts*  
9 *estimated by the Government to exceed \$500,000 for projects*  
10 *to be accomplished in Japan, in any North Atlantic Treaty*  
11 *Organization member country, or in countries bordering the*  
12 *Arabian Sea, unless such contracts are awarded to United*  
13 *States firms or United States firms in joint venture with*  
14 *host nation firms.*

15 *SEC. 112. None of the funds made available in this*  
16 *title for military construction in the United States terri-*  
17 *ories and possessions in the Pacific and on Kwajalein*  
18 *Atoll, or in countries bordering the Arabian Sea, may be*  
19 *used to award any contract estimated by the Government*  
20 *to exceed \$1,000,000 to a foreign contractor: Provided, That*  
21 *this section shall not be applicable to contract awards for*  
22 *which the lowest responsive and responsible bid of a United*  
23 *States contractor exceeds the lowest responsive and respon-*  
24 *sible bid of a foreign contractor by greater than 20 percent:*  
25 *Provided further, That this section shall not apply to con-*

1 *tract awards for military construction on Kwajalein Atoll*  
2 *for which the lowest responsive and responsible bid is sub-*  
3 *mitted by a Marshallese contractor.*

4       *SEC. 113. The Secretary of Defense shall inform the*  
5 *appropriate committees of both Houses of Congress, includ-*  
6 *ing the Committees on Appropriations, of plans and scope*  
7 *of any proposed military exercise involving United States*  
8 *personnel 30 days prior to its occurring, if amounts ex-*  
9 *pended for construction, either temporary or permanent,*  
10 *are anticipated to exceed \$100,000.*

11       *SEC. 114. Funds appropriated to the Department of*  
12 *Defense for construction in prior years shall be available*  
13 *for construction authorized for each such military depart-*  
14 *ment by the authorizations enacted into law during the cur-*  
15 *rent session of Congress.*

16       *SEC. 115. Not more than 20 percent of the funds made*  
17 *available in this title which are limited for obligation dur-*  
18 *ing the current fiscal year shall be obligated during the last*  
19 *2 months of the fiscal year.*

20       *SEC. 116. For military construction or family housing*  
21 *projects that are being completed with funds otherwise ex-*  
22 *pired or lapsed for obligation, expired or lapsed funds may*  
23 *be used to pay the cost of associated supervision, inspection,*  
24 *overhead, engineering and design on those projects and on*  
25 *subsequent claims, if any.*

1       *SEC. 117. Notwithstanding any other provision of law,*  
2 *any funds made available to a military department or de-*  
3 *fense agency for the construction of military projects may*  
4 *be obligated for a military construction project or contract,*  
5 *or for any portion of such a project or contract, at any*  
6 *time before the end of the fourth fiscal year after the fiscal*  
7 *year for which funds for such project were made available,*  
8 *if the funds obligated for such project: (1) are obligated from*  
9 *funds available for military construction projects; and (2)*  
10 *do not exceed the amount appropriated for such project,*  
11 *plus any amount by which the cost of such project is in-*  
12 *creased pursuant to law.*

13                   *(INCLUDING TRANSFER OF FUNDS)*

14       *SEC. 118. In addition to any other transfer authority*  
15 *available to the Department of Defense, proceeds deposited*  
16 *to the Department of Defense Base Closure Account estab-*  
17 *lished by section 207(a)(1) of the Defense Authorization*  
18 *Amendments and Base Closure and Realignment Act (10*  
19 *U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such*  
20 *Act, may be transferred to the account established by section*  
21 *2906(a)(1) of the Defense Base Closure and Realignment*  
22 *Act of 1990 (10 U.S.C. 2687 note), to be merged with, and*  
23 *to be available for the same purposes and the same time*  
24 *period as that account.*

(INCLUDING TRANSFER OF FUNDS)

1                   *SEC. 119. Subject to 30 days prior notification, or 14*  
2                   *days for a notification provided in an electronic medium*  
3                   *pursuant to sections 480 and 2883 of title 10, United States*  
4                   *Code, to the Committees on Appropriations of both Houses*  
5                   *of Congress, such additional amounts as may be determined*  
6                   *by the Secretary of Defense may be transferred to: (1) the*  
7                   *Department of Defense Family Housing Improvement Fund*  
8                   *from amounts appropriated for construction in “Family*  
9                   *Housing” accounts, to be merged with and to be available*  
10                  *for the same purposes and for the same period of time as*  
11                  *amounts appropriated directly to the Fund; or (2) the De-*  
12                  *partment of Defense Military Unaccompanied Housing Im-*  
13                  *provement Fund from amounts appropriated for construc-*  
14                  *tion of military unaccompanied housing in “Military Con-*  
15                  *struction” accounts, to be merged with and to be available*  
16                  *for the same purposes and for the same period of time as*  
17                  *amounts appropriated directly to the Fund: Provided, That*  
18                  *appropriations made available to the Funds shall be avail-*  
19                  *able to cover the costs, as defined in section 502(5) of the*  
20                  *Congressional Budget Act of 1974, of direct loans or loan*  
21                  *guarantees issued by the Department of Defense pursuant*  
22                  *to the provisions of subchapter IV of chapter 169 of title*  
23                  *10, United States Code, pertaining to alternative means of*  
24



1 *acquiring and improving military family housing, military*  
2 *unaccompanied housing, and supporting facilities.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 120. In addition to any other transfer authority*  
5 *available to the Department of Defense, amounts may be*  
6 *transferred from the accounts established by sections*  
7 *2906(a)(1) and 2906A(a)(1) of the Defense Base Closure*  
8 *and Realignment Act of 1990 (10 U.S.C. 2687 note), to the*  
9 *fund established by section 1013(d) of the Demonstration*  
10 *Cities and Metropolitan Development Act of 1966 (42*  
11 *U.S.C. 3374) to pay for expenses associated with the Home-*  
12 *owners Assistance Program incurred under 42 U.S.C.*  
13 *3374(a)(1)(A). Any amounts transferred shall be merged*  
14 *with and be available for the same purposes and for the*  
15 *same time period as the fund to which transferred.*

16 *SEC. 121. Notwithstanding any other provision of law,*  
17 *funds made available in this title for operation and mainte-*  
18 *nance of family housing shall be the exclusive source of*  
19 *funds for repair and maintenance of all family housing*  
20 *units, including general or flag officer quarters: Provided,*  
21 *That not more than \$35,000 per unit may be spent annu-*  
22 *ally for the maintenance and repair of any general or flag*  
23 *officer quarters without 30 days prior notification, or 14*  
24 *days for a notification provided in an electronic medium*  
25 *pursuant to sections 480 and 2883 of title 10, United States*

1 *Code, to the Committees on Appropriations of both Houses*  
2 *of Congress, except that an after-the-fact notification shall*  
3 *be submitted if the limitation is exceeded solely due to costs*  
4 *associated with environmental remediation that could not*  
5 *be reasonably anticipated at the time of the budget submis-*  
6 *sion: Provided further, That the Under Secretary of Defense*  
7 *(Comptroller) is to report annually to the Committees on*  
8 *Appropriations of both Houses of Congress all operation*  
9 *and maintenance expenditures for each individual general*  
10 *or flag officer quarters for the prior fiscal year.*

11 *SEC. 122. Amounts contained in the Ford Island Im-*  
12 *provement Account established by subsection (h) of section*  
13 *2814 of title 10, United States Code, are appropriated and*  
14 *shall be available until expended for the purposes specified*  
15 *in subsection (i)(1) of such section or until transferred pur-*  
16 *suant to subsection (i)(3) of such section.*

17 *SEC. 123. None of the funds made available in this*  
18 *title, or in any Act making appropriations for military*  
19 *construction which remain available for obligation, may be*  
20 *obligated or expended to carry out a military construction,*  
21 *land acquisition, or family housing project at or for a mili-*  
22 *tary installation approved for closure, or at a military in-*  
23 *stallation for the purposes of supporting a function that has*  
24 *been approved for realignment to another installation, in*  
25 *2005 under the Defense Base Closure and Realignment Act*

1 of 1990 (part A of title XXIX of Public Law 101–510; 10  
2 U.S.C. 2687 note), unless such a project at a military in-  
3 stallation approved for realignment will support a con-  
4 tinuing mission or function at that installation or a new  
5 mission or function that is planned for that installation,  
6 or unless the Secretary of Defense certifies that the cost to  
7 the United States of carrying out such project would be less  
8 than the cost to the United States of cancelling such project,  
9 or if the project is at an active component base that shall  
10 be established as an enclave or in the case of projects having  
11 multi-agency use, that another Government agency has in-  
12 dicated it will assume ownership of the completed project.  
13 The Secretary of Defense may not transfer funds made  
14 available as a result of this limitation from any military  
15 construction project, land acquisition, or family housing  
16 project to another account or use such funds for another  
17 purpose or project without the prior approval of the Com-  
18 mittees on Appropriations of both Houses of Congress. This  
19 section shall not apply to military construction projects,  
20 land acquisition, or family housing projects for which the  
21 project is vital to the national security or the protection  
22 of health, safety, or environmental quality: Provided, That  
23 the Secretary of Defense shall notify the congressional de-  
24 fense committees within seven days of a decision to carry  
25 out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

1                   *SEC. 124. During the 5-year period after appropria-*  
2                   *tions available in this Act to the Department of Defense*  
3                   *for military construction and family housing operation and*  
4                   *maintenance and construction have expired for obligation,*  
5                   *upon a determination that such appropriations will not be*  
6                   *necessary for the liquidation of obligations or for making*  
7                   *authorized adjustments to such appropriations for obliga-*  
8                   *tions incurred during the period of availability of such ap-*  
9                   *propriations, unobligated balances of such appropriations*  
10                  *may be transferred into the appropriation “Foreign Cur-*  
11                  *rency Fluctuations, Construction, Defense”, to be merged*  
12                  *with and to be available for the same time period and for*  
13                  *the same purposes as the appropriation to which trans-*  
14                  *ferred.*  
15

16                *SEC. 125. None of the funds made available by this*  
17                *Act may be used by the Secretary of Defense to take bene-*  
18                *ficial occupancy of more than 2,500 parking spaces (other*  
19                *than handicap-reserved spaces) to be provided by the BRAC*  
20                *133 project: Provided, That this limitation may be waived*  
21                *in part if: (1) the Secretary of Defense certifies to Congress*  
22                *that levels of service at existing intersections in the vicinity*  
23                *of the project have not experienced failing levels of service*  
24                *as defined by the Transportation Research Board Highway*  
25                *Capacity Manual over a consecutive 90-day period; (2) the*

1 *Department of Defense and the Virginia Department of*  
2 *Transportation agree on the number of additional parking*  
3 *spaces that may be made available to employees of the facil-*  
4 *ity subject to continued 90-day traffic monitoring; and (3)*  
5 *the Secretary of Defense notifies the congressional defense*  
6 *committees in writing at least 14 days prior to exercising*  
7 *this waiver of the number of additional parking spaces to*  
8 *be made available.*

9       *SEC. 126. None of the funds made available by this*  
10 *Act may be used for any action that relates to or promotes*  
11 *the expansion of the boundaries or size of the Pinon Canyon*  
12 *Maneuver Site, Colorado.*

13       *SEC. 127. Amounts appropriated or otherwise made*  
14 *available in an account funded under the headings in this*  
15 *title may be transferred among projects and activities with-*  
16 *in the account in accordance with the reprogramming*  
17 *guidelines for military construction and family housing*  
18 *construction contained in Department of Defense Financial*  
19 *Management Regulation 7000.14–R, Volume 3, Chapter 7,*  
20 *of February 2009, as in effect on the date of enactment of*  
21 *this Act.*

22       *SEC. 128. (a) Except as provided in subsection (b),*  
23 *none of the funds made available in this Act may be used*  
24 *by the Secretary of the Army to relocate a unit in the Army*  
25 *that—*

(b) *EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.*

22 (INCLUDING RESCISSION OF FUNDS)

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1 *That no amounts may be cancelled from amounts that were*  
2 *designated by Congress as an emergency requirement or for*  
3 *Overseas Contingency Operations/Global War on Terrorism*  
4 *pursuant to the Concurrent Resolution on the Budget or*  
5 *the Balanced Budget and Emergency Deficit Control Act*  
6 *of 1985, as amended.*

7 (INCLUDING RESCISSION OF FUNDS)

8 *SEC. 131. Of the unobligated balances available for*  
9 *“Department of Defense Base Closure Account 2005”, from*  
10 *prior appropriations Acts, \$132,513,000 are hereby can-*  
11 *celled: Provided, That no amounts may be cancelled from*  
12 *amounts that were designated by Congress as an emergency*  
13 *requirement or for Overseas Contingency Operations/Global*  
14 *War on Terrorism pursuant to the Concurrent Resolution*  
15 *on the Budget or the Balanced Budget and Emergency Def-*  
16 *icit Control Act of 1985, as amended.*

17 (INCLUDING TRANSFER OF FUNDS)

18 *SEC. 132. Of the proceeds credited to the Department*  
19 *of Defense Family Housing Improvement Fund pursuant*  
20 *to subsection (c)(1)(C) of section 2883 of title 10, United*  
21 *States Code, from a Department of Navy land conveyance,*  
22 *the Secretary of Defense shall transfer \$10,500,000 to the*  
23 *Secretary of the Navy under paragraph (3) of subsection*  
24 *(d) of such section for use by the Secretary of the Navy as*

1 *provided in paragraph (1) of such subsection until ex-*  
2 *pended.*

3 *TITLE II*

4 *DEPARTMENT OF VETERANS AFFAIRS*

5 *VETERANS BENEFITS ADMINISTRATION*

6 *COMPENSATION AND PENSIONS*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the payment of compensation benefits to or on be-*  
9 *half of veterans and a pilot program for disability examina-*  
10 *tions as authorized by section 107 and chapters 11, 13, 18,*  
11 *51, 53, 55, and 61 of title 38, United States Code; pension*  
12 *benefits to or on behalf of veterans as authorized by chapters*  
13 *15, 51, 53, 55, and 61 of title 38, United States Code; and*  
14 *burial benefits, the Reinstated Entitlement Program for*  
15 *Survivors, emergency and other officers' retirement pay, ad-*  
16 *justed-service credits and certificates, payment of premiums*  
17 *due on commercial life insurance policies guaranteed under*  
18 *the provisions of title IV of the Servicemembers Civil Relief*  
19 *Act (50 U.S.C. App. 541 et seq.) and for other benefits as*  
20 *authorized by sections 107, 1312, 1977, and 2106, and*  
21 *chapters 23, 51, 53, 55, and 61 of title 38, United States*  
22 *Code, \$60,599,855,000, to remain available until expended:*  
23 *Provided, That not to exceed \$9,204,000 of the amount ap-*  
24 *propriated under this heading shall be reimbursed to "Gen-*  
25 *eral operating expenses, Veterans Benefits Administration",*



1   *“Medical support and compliance”, and “Information tech-*  
2   *nology systems” for necessary expenses in implementing the*  
3   *provisions of chapters 51, 53, and 55 of title 38, United*  
4   *States Code, the funding source for which is specifically*  
5   *provided as the “Compensation and pensions” appropria-*  
6   *tion: Provided further, That such sums as may be earned*  
7   *on an actual qualifying patient basis, shall be reimbursed*  
8   *to “Medical care collections fund” to augment the funding*  
9   *of individual medical facilities for nursing home care pro-*  
10   *vided to pensioners as authorized.*

11                   *READJUSTMENT BENEFITS*

12       *For the payment of readjustment and rehabilitation*  
13   *benefits to or on behalf of veterans as authorized by chapters*  
14   *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*  
15   *title 38, United States Code, and for the payment of benefits*  
16   *under the Veterans Retraining Assistance Program,*  
17   *\$12,023,458,000, to remain available until expended: Pro-*  
18   *vided, That expenses for rehabilitation program services*  
19   *and assistance which the Secretary is authorized to provide*  
20   *under subsection (a) of section 3104 of title 38, United*  
21   *States Code, other than under paragraphs (1), (2), (5), and*  
22   *(11) of that subsection, shall be charged to this account.*

23                   *VETERANS INSURANCE AND INDEMNITIES*

24       *For military and naval insurance, national service life*  
25   *insurance, servicemen’s indemnities, service-disabled vet-*

1 *erans insurance, and veterans mortgage life insurance as*  
2 *authorized by chapters 19 and 21, title 38, United States*  
3 *Code, \$104,600,000, to remain available until expended.*

4 *VETERANS HOUSING BENEFIT PROGRAM FUND*

5 *For the cost of direct and guaranteed loans, such sums*  
6 *as may be necessary to carry out the program, as authorized*  
7 *by subchapters I through III of chapter 37 of title 38,*  
8 *United States Code: Provided, That such costs, including*  
9 *the cost of modifying such loans, shall be as defined in sec-*  
10 *tion 502 of the Congressional Budget Act of 1974: Provided*  
11 *further, That during fiscal year 2013, within the resources*  
12 *available, not to exceed \$500,000 in gross obligations for*  
13 *direct loans are authorized for specially adapted housing*  
14 *loans.*

15 *In addition, for administrative expenses to carry out*  
16 *the direct and guaranteed loan programs, \$157,814,000.*

17 *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

18 *For the cost of direct loans, \$19,000, as authorized by*  
19 *chapter 31 of title 38, United States Code: Provided, That*  
20 *such costs, including the cost of modifying such loans, shall*  
21 *be as defined in section 502 of the Congressional Budget*  
22 *Act of 1974: Provided further, That funds made available*  
23 *under this heading are available to subsidize gross obliga-*  
24 *tions for the principal amount of direct loans not to exceed*  
25 *\$2,729,000.*

7        *For administrative expenses to carry out the direct*  
8        *loan program authorized by subchapter V of chapter 37 of*  
9        *title 38, United States Code, \$1,089,000.*

12        *For necessary expenses for furnishing, as authorized*  
13 *by law, inpatient and outpatient care and treatment to*  
14 *beneficiaries of the Department of Veterans Affairs and vet*  
15 *erans described in section 1705(a) of title 38, United States*  
16 *Code, including care and treatment in facilities not under*  
17 *the jurisdiction of the Department, and including medical*  
18 *supplies and equipment, bioengineering services, food serv-*  
19 *ices, and salaries and expenses of healthcare employees*  
20 *hired under title 38, United States Code, aid to State homes*  
21 *as authorized by section 1741 of title 38, United States*  
22 *Code, assistance and support services for caregivers as au-*  
23 *thorized by section 1720G of title 38, United States Code,*  
24 *loan repayments authorized by section 604 of the Caregivers*  
25 *and Veterans Omnibus Health Services Act of 2010 (Public*

1 *Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and*  
2 *hospital care and medical services authorized by section*  
3 *1787 of title 38, United States Code; \$155,000,000, which*  
4 *shall be in addition to funds previously appropriated under*  
5 *this heading that become available on October 1, 2012; and*  
6 *in addition, \$43,557,000,000, plus reimbursements, shall*  
7 *become available on October 1, 2013, and shall remain*  
8 *available until September 30, 2014: Provided, That not-*  
9 *withstanding any other provision of law, the Secretary of*  
10 *Veterans Affairs shall establish a priority for the provision*  
11 *of medical treatment for veterans who have service-con-*  
12 *nected disabilities, lower income, or have special needs: Pro-*  
13 *vided further, That notwithstanding any other provision of*  
14 *law, the Secretary of Veterans Affairs shall give priority*  
15 *funding for the provision of basic medical benefits to vet-*  
16 *erans in enrollment priority groups 1 through 6: Provided*  
17 *further, That notwithstanding any other provision of law,*  
18 *the Secretary of Veterans Affairs may authorize the dis-*  
19 *persing of prescription drugs from Veterans Health Admin-*  
20 *istration facilities to enrolled veterans with privately writ-*  
21 *ten prescriptions based on requirements established by the*  
22 *Secretary: Provided further, That the implementation of the*  
23 *program described in the previous proviso shall incur no*  
24 *additional cost to the Department of Veterans Affairs.*

1                    *MEDICAL SUPPORT AND COMPLIANCE*

2            *For necessary expenses in the administration of the*  
3 *medical, hospital, nursing home, domiciliary, construction,*  
4 *supply, and research activities, as authorized by law; ad-*  
5 *ministrative expenses in support of capital policy activities;*  
6 *and administrative and legal expenses of the Department*  
7 *for collecting and recovering amounts owed the Department*  
8 *as authorized under chapter 17 of title 38, United States*  
9 *Code, and the Federal Medical Care Recovery Act (42*  
10 *U.S.C. 2651 et seq.); \$6,033,000,000, plus reimbursements,*  
11 *shall become available on October 1, 2013, and shall remain*  
12 *available until September 30, 2014.*

13                    *MEDICAL FACILITIES*

14            *For necessary expenses for the maintenance and oper-*  
15 *ation of hospitals, nursing homes, domiciliary facilities,*  
16 *and other necessary facilities of the Veterans Health Admin-*  
17 *istration; for administrative expenses in support of plan-*  
18 *ning, design, project management, real property acquisition*  
19 *and disposition, construction, and renovation of any facil-*  
20 *ity under the jurisdiction or for the use of the Department;*  
21 *for oversight, engineering, and architectural activities not*  
22 *charged to project costs; for repairing, altering, improving,*  
23 *or providing facilities in the several hospitals and homes*  
24 *under the jurisdiction of the Department, not otherwise pro-*  
25 *vided for, either by contract or by the hire of temporary*

1 *employees and purchase of materials; for leases of facilities;*  
2 *and for laundry services, \$4,872,000,000, plus reimburse-*  
3 *ments, shall become available on October 1, 2013, and shall*  
4 *remain available until September 30, 2014.*

5 *MEDICAL AND PROSTHETIC RESEARCH*

6 *For necessary expenses in carrying out programs of*  
7 *medical and prosthetic research and development as author-*  
8 *ized by chapter 73 of title 38, United States Code,*  
9 *\$582,674,000, plus reimbursements, shall remain available*  
10 *until September 30, 2014.*

11 *NATIONAL CEMETERY ADMINISTRATION*

12 *For necessary expenses of the National Cemetery Ad-*  
13 *ministration for operations and maintenance, not otherwise*  
14 *provided for, including uniforms or allowances therefor;*  
15 *cemeterial expenses as authorized by law; purchase of one*  
16 *passenger motor vehicle for use in cemeterial operations;*  
17 *hire of passenger motor vehicles; and repair, alteration or*  
18 *improvement of facilities under the jurisdiction of the Na-*  
19 *tional Cemetery Administration, \$258,284,000, of which*  
20 *not to exceed \$25,828,000 shall remain available until Sep-*  
21 *tember 30, 2014: Provided, That none of the funds under*  
22 *this heading may be used to expand the Urban Initiative*  
23 *project beyond those sites outlined in the fiscal year 2012*  
24 *or previous budget submissions or any other rural strategy,*  
25 *other than the Rural Initiative included in the fiscal year*

1 2013 budget submission, until the Secretary of Veterans Af-  
2 fairs submits to the Committees on Appropriations of both  
3 Houses of Congress a strategy to serve the burial needs of  
4 veterans residing in rural and highly rural areas and that  
5 strategy has been approved by the Committees: Provided  
6 further, That the strategy shall include: (1) A review of pre-  
7 vious policies of the National Cemetery Administration re-  
8 garding establishment of new national cemeteries, including  
9 whether the guidelines of the Administration for estab-  
10 lishing national cemetery annexes remain valid; (2) Data  
11 identifying the number of and geographic areas where rural  
12 veterans are not currently served by national or existing  
13 State cemeteries and identification of areas with the largest  
14 unserved populations, broken down by veterans residing in  
15 urban versus rural and highly rural; (3) Identification of  
16 the number of veterans who reside within the 75-mile radius  
17 of a cemetery that is limited to cremations or of a State  
18 cemetery which has residency restrictions, as well as an ex-  
19 amination of how many communities that fall under a 75-  
20 mile radius have an actual driving distance greater than  
21 75 miles; (4) Reassessment of the gaps in service, factoring  
22 in the above conditions that limit rural and highly rural  
23 veteran burial options; (5) An assessment of the adequacy  
24 of the policy of the Administration on establishing new  
25 cemeteries proposed in the fiscal year 2013 budget request;

1 (6) *Recommendations for an appropriate policy on new na-*  
2 *tional cemeteries to serve rural or highly rural areas; (7)*  
3 *Development of a national map showing the locations and*  
4 *number of all unserved veterans; and (8) A time line for*  
5 *the implementation of such strategy and cost estimates for*  
6 *using the strategy to establish new burial sites in at least*  
7 *five rural or highly rural locations: Provided further, That*  
8 *the Comptroller General of the United States shall review*  
9 *the strategy to ensure that it includes the elements listed*  
10 *above: Provided further, That this strategy shall be sub-*  
11 *mitted no later than 180 days after the date of enactment*  
12 *of this Act: Provided further, That the Secretary of Veterans*  
13 *Affairs shall issue guidelines on committal services held at*  
14 *cemeteries under the jurisdiction of the National Cemetery*  
15 *Administration to ensure that: (1) veterans' families may*  
16 *arrange to hold committal services with any religious or*  
17 *secular content they desire; (2) the choice by a family of*  
18 *an honor guard and the content and presentation of mili-*  
19 *tary honors may not be interfered with; and (3) attendance*  
20 *at committal services by outside organizations dedicated to*  
21 *the support of veterans will not be constrained except at*  
22 *the request of family members: Provided further, That the*  
23 *Department shall not edit, control, or exercise prior re-*  
24 *straints on the content of religious speech and expression*  
25 *by speakers at events at veterans national cemeteries except*



1 *as provided in section 2413 of title 38, United States Code:*  
2 *Provided further, That actions permitted by the foregoing*  
3 *provisos shall be subject to compliance with Department se-*  
4 *curity, safety, and law enforcement regulations.*

5 *DEPARTMENTAL ADMINISTRATION*

6 *GENERAL ADMINISTRATION*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary operating expenses of the Department of*  
9 *Veterans Affairs, not otherwise provided for, including ad-*  
10 *ministrative expenses in support of Department-Wide cap-*  
11 *ital planning, management and policy activities, uniforms,*  
12 *or allowances therefor; not to exceed \$25,000 for official re-*  
13 *ception and representation expenses; hire of passenger*  
14 *motor vehicles; and reimbursement of the General Services*  
15 *Administration for security guard services, \$424,737,000,*  
16 *of which not to exceed \$20,837,000 shall remain available*  
17 *until September 30, 2014: Provided, That the Board of Vet-*  
18 *erans Appeals shall be funded at not less than \$86,006,000:*  
19 *Provided further, That of the funds made available under*  
20 *this heading, such sums as may be necessary shall be avail-*  
21 *able to the Secretary of Veterans Affairs to comply with*  
22 *the Department's energy management requirements under*  
23 *section 543(f)(7) of the National Energy Conservation Pol-*  
24 *icy Act (42 U.S.C. 8253(f)(7)): Provided further, That*  
25 *funds provided under this heading may be transferred to*

1 *“General operating expenses, Veterans Benefits Administra-*  
 2 *tion”.*

3 *GENERAL OPERATING EXPENSES, VETERANS BENEFITS*  
 4 *ADMINISTRATION*

5 *For necessary operating expenses of the Veterans Bene-*  
 6 *fits Administration, not otherwise provided for, including*  
 7 *hire of passenger motor vehicles, reimbursement of the Gen-*  
 8 *eral Services Administration for security guard services,*  
 9 *and reimbursement of the Department of Defense for the*  
 10 *cost of overseas employee mail, \$2,164,074,000: Provided,*  
 11 *That expenses for services and assistance authorized under*  
 12 *paragraphs (1), (2), (5), and (11) of section 3104(a) of title*  
 13 *38, United States Code, that the Secretary of Veterans Af-*  
 14 *fairs determines are necessary to enable entitled veterans:*  
 15 *(1) to the maximum extent feasible, to become employable*  
 16 *and to obtain and maintain suitable employment; or (2)*  
 17 *to achieve maximum independence in daily living, shall be*  
 18 *charged to this account: Provided further, That of the funds*  
 19 *made available under this heading, not to exceed*  
 20 *\$113,000,000 shall remain available until September 30,*  
 21 *2014.*

22 *INFORMATION TECHNOLOGY SYSTEMS*  
 23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses for information technology sys-*  
 25 *tems and telecommunications support, including develop-*

1 *mental information systems and operational information*  
2 *systems; for pay and associated costs; and for the capital*  
3 *asset acquisition of information technology systems, includ-*  
4 *ing management and related contractual costs of said ac-*  
5 *quisitions, including contractual costs associated with oper-*  
6 *ations authorized by section 3109 of title 5, United States*  
7 *Code, \$3,327,444,000, plus reimbursements: Provided, That*  
8 *\$1,021,000,000 shall be for pay and associated costs, of*  
9 *which not to exceed \$30,630,000 shall remain available*  
10 *until September 30, 2014: Provided further, That*  
11 *\$1,812,045,000 shall be for operations and maintenance, of*  
12 *which not to exceed \$126,000,000 shall remain available*  
13 *until September 30, 2014: Provided further, That*  
14 *\$494,399,000 shall be for information technology systems*  
15 *development, modernization, and enhancement, and shall*  
16 *remain available until September 30, 2014: Provided fur-*  
17 *ther, That amounts made available for information tech-*  
18 *nology systems development, modernization, and enhance-*  
19 *ment may not be obligated or expended until the Secretary*  
20 *of Veterans Affairs or the Chief Information Officer of the*  
21 *Department of Veterans Affairs submits to the Committees*  
22 *on Appropriations of both Houses of Congress a certifi-*  
23 *cation of the amounts, in parts or in full, to be obligated*  
24 *and expended for each development project: Provided fur-*  
25 *ther, That amounts made available for salaries and ex-*

1 *penses, operations and maintenance, and information tech-*  
2 *nology systems development, modernization, and enhance-*  
3 *ment may be transferred among the three sub-accounts after*  
4 *the Secretary of Veterans Affairs requests from the Commit-*  
5 *tees on Appropriations of both Houses of Congress the au-*  
6 *thority to make the transfer and an approval is issued: Pro-*  
7 *vided further, That amounts made available for the “Infor-*  
8 *mation technology systems” account for development, mod-*  
9 *ernization, and enhancement may be transferred between*  
10 *projects or to newly defined projects: Provided further, That*  
11 *no project may be increased or decreased by more than*  
12 *\$1,000,000 of cost prior to submitting a request to the Com-*  
13 *mittees on Appropriations of both Houses of Congress to*  
14 *make the transfer and an approval is issued, or absent a*  
15 *response, a period of 30 days has elapsed: Provided further,*  
16 *That of the funds provided for information technology sys-*  
17 *tems development, modernization, and enhancement for the*  
18 *development of a joint Department of Defense—Department*  
19 *of Veterans Affairs (DOD–VA) integrated electronic health*  
20 *record (iEHR), not more than 25 percent may be obligated*  
21 *until the DOD–VA Interagency Program Office submits to*  
22 *the Committees on Appropriations of both Houses of Con-*  
23 *gress, and such Committees approve, a plan for expenditure*  
24 *that: (1) defines the budget and cost baseline for develop-*  
25 *ment of the integrated Electronic Health Record; (2) identi-*

1 *fies the deployment timeline for the system for both Agen-*  
2 *cies; (3) breaks out annual and total spending for each De-*  
3 *partment; (4) relays detailed cost-sharing business rules; (5)*  
4 *establishes data standardization schedules between the De-*  
5 *partments; (6) has been submitted to the Government Ac-*  
6 *countability Office for review; and (7) complies with the*  
7 *acquisition rules, requirements, guidelines, and systems ac-*  
8 *quisition management practices of the Federal Government:*  
9 *Provided further, That the funds made available under this*  
10 *heading for information technology systems development,*  
11 *modernization, and enhancement, shall be for the projects,*  
12 *and in the amounts, specified under this heading in the*  
13 *explanatory statement described in section 4 (in the matter*  
14 *preceding division A of this consolidated Act).*

15 *OFFICE OF INSPECTOR GENERAL*

16 *For necessary expenses of the Office of Inspector Gen-*  
17 *eral, to include information technology, in carrying out the*  
18 *provisions of the Inspector General Act of 1978 (5 U.S.C.*  
19 *App.), \$115,000,000, of which \$6,000,000 shall remain*  
20 *available until September 30, 2014.*

21 *CONSTRUCTION, MAJOR PROJECTS*

22 *For constructing, altering, extending, and improving*  
23 *any of the facilities, including parking projects, under the*  
24 *jurisdiction or for the use of the Department of Veterans*  
25 *Affairs, or for any of the purposes set forth in sections 316,*

1 2404, 2406, and chapter 81 of title 38, United States Code,  
2 not otherwise provided for, including planning, architec-  
3 tural and engineering services, construction management  
4 services, maintenance or guarantee period services costs as-  
5 sociated with equipment guarantees provided under the  
6 project, services of claims analysts, offsite utility and storm  
7 drainage system construction costs, and site acquisition,  
8 where the estimated cost of a project is more than the  
9 amount set forth in section 8104(a)(3)(A) of title 38, United  
10 States Code, or where funds for a project were made avail-  
11 able in a previous major project appropriation,  
12 \$532,470,000, of which \$502,470,000 shall remain available  
13 until September 30, 2017, and of which \$30,000,000 shall  
14 remain available until expended: Provided, That  
15 \$5,000,000 shall be to make reimbursements as provided in  
16 section 7108 of title 41, United States Code, for claims paid  
17 for contract disputes: Provided further, That except for ad-  
18 vance planning activities, including needs assessments  
19 which may or may not lead to capital investments, and  
20 other capital asset management related activities, including  
21 portfolio development and management activities, and in-  
22 vestment strategy studies funded through the advance plan-  
23 ning fund and the planning and design activities funded  
24 through the design fund, including needs assessments which  
25 may or may not lead to capital investments, and salaries

1 *and associated costs of the resident engineers who oversee*  
2 *those capital investments funded through this account, and*  
3 *funds provided for the purchase of land for the National*  
4 *Cemetery Administration through the land acquisition line*  
5 *item, none of the funds made available under this heading*  
6 *shall be used for any project which has not been approved*  
7 *by the Congress in the budgetary process: Provided further,*  
8 *That funds made available under this heading for fiscal*  
9 *year 2013, for each approved project shall be obligated: (1)*  
10 *by the awarding of a construction documents contract by*  
11 *September 30, 2013; and (2) by the awarding of a construc-*  
12 *tion contract by September 30, 2014: Provided further, That*  
13 *the Secretary of Veterans Affairs shall promptly submit to*  
14 *the Committees on Appropriations of both Houses of Con-*  
15 *gress a written report on any approved major construction*  
16 *project for which obligations are not incurred within the*  
17 *time limitations established above.*

18 *CONSTRUCTION, MINOR PROJECTS*

19 *For constructing, altering, extending, and improving*  
20 *any of the facilities, including parking projects, under the*  
21 *jurisdiction or for the use of the Department of Veterans*  
22 *Affairs, including planning and assessments of needs which*  
23 *may lead to capital investments, architectural and engi-*  
24 *neering services, maintenance or guarantee period services*  
25 *costs associated with equipment guarantees provided under*

1 the project, services of claims analysts, offsite utility and  
2 storm drainage system construction costs, and site acqui-  
3 sition, or for any of the purposes set forth in sections 316,  
4 2404, 2406, and chapter 81 of title 38, United States Code,  
5 not otherwise provided for, where the estimated cost of a  
6 project is equal to or less than the amount set forth in sec-  
7 tion 8104(a)(3)(A) of title 38, United States Code,  
8 \$607,530,000, to remain available until September 30,  
9 2017, along with unobligated balances of previous “Con-  
10 struction, minor projects” appropriations which are hereby  
11 made available for any project where the estimated cost is  
12 equal to or less than the amount set forth in such section:  
13 Provided, That funds made available under this heading  
14 shall be for: (1) repairs to any of the nonmedical facilities  
15 under the jurisdiction or for the use of the Department  
16 which are necessary because of loss or damage caused by  
17 any natural disaster or catastrophe; and (2) temporary  
18 measures necessary to prevent or to minimize further loss  
19 by such causes.

20 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
21 FACILITIES

22 For grants to assist States to acquire or construct  
23 State nursing home and domiciliary facilities and to re-  
24 model, modify, or alter existing hospital, nursing home, and  
25 domiciliary facilities in State homes, for furnishing care



1 *to veterans as authorized by sections 8131 through 8137 of*  
 2 *title 38, United States Code, \$85,000,000, to remain avail-*  
 3 *able until expended.*

4 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

5 *For grants to assist States and tribal governments in*  
 6 *establishing, expanding, or improving veterans cemeteries*  
 7 *as authorized by section 2408 of title 38, United States*  
 8 *Code, \$46,000,000, to remain available until expended.*

9 *ADMINISTRATIVE PROVISIONS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 201. Any appropriation for fiscal year 2013 for*  
 12 *“Compensation and pensions”, “Readjustment benefits”,*  
 13 *and “Veterans insurance and indemnities” may be trans-*  
 14 *ferred as necessary to any other of the mentioned appro-*  
 15 *priations: Provided, That before a transfer may take place,*  
 16 *the Secretary of Veterans Affairs shall request from the*  
 17 *Committees on Appropriations of both Houses of Congress*  
 18 *the authority to make the transfer and such Committees*  
 19 *issue an approval, or absent a response, a period of 30 days*  
 20 *has elapsed.*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *SEC. 202. Amounts made available for the Department*  
 23 *of Veterans Affairs for fiscal year 2013, in this Act or any*  
 24 *other Act, under the “Medical services”, “Medical support*  
 25 *and compliance”, and “Medical facilities” accounts may be*

1 transferred among the accounts: Provided, That any trans-  
2 fers between the “Medical services” and “Medical support  
3 and compliance” accounts of 1 percent or less of the total  
4 amount appropriated to the account in this or any other  
5 Act may take place subject to notification from the Sec-  
6 retary of Veterans Affairs to the Committees on Appropria-  
7 tions of both Houses of Congress of the amount and purpose  
8 of the transfer: Provided further, That any transfers be-  
9 tween the “Medical services” and “Medical support and  
10 compliance” accounts in excess of 1 percent, or exceeding  
11 the cumulative 1 percent for the fiscal year, may take place  
12 only after the Secretary requests from the Committees on  
13 Appropriations of both Houses of Congress the authority to  
14 make the transfer and an approval is issued: Provided fur-  
15 ther, That any transfers to or from the “Medical facilities”  
16 account may take place only after the Secretary requests  
17 from the Committees on Appropriations of both Houses of  
18 Congress the authority to make the transfer and an ap-  
19 proval is issued.

20       SEC. 203. Appropriations available in this title for sal-  
21 aries and expenses shall be available for services authorized  
22 by section 3109 of title 5, United States Code; hire of pas-  
23 senger motor vehicles; lease of a facility or land or both;  
24 and uniforms or allowances therefore, as authorized by sec-  
25 tions 5901 through 5902 of title 5, United States Code.

1       *SEC. 204. No appropriations in this title (except the*  
2 *appropriations for “Construction, major projects”, and*  
3 *“Construction, minor projects”)* shall be available for the  
4 *purchase of any site for or toward the construction of any*  
5 *new hospital or home.*

6       *SEC. 205. No appropriations in this title shall be*  
7 *available for hospitalization or examination of any persons*  
8 *(except beneficiaries entitled to such hospitalization or ex-*  
9 *amination under the laws providing such benefits to vet-*  
10 *erans, and persons receiving such treatment under sections*  
11 *7901 through 7904 of title 5, United States Code, or the*  
12 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
13 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*  
14 *of the cost of such hospitalization or examination is made*  
15 *to the “Medical services” account at such rates as may be*  
16 *fixed by the Secretary of Veterans Affairs.*

17       *SEC. 206. Appropriations available in this title for*  
18 *“Compensation and pensions”, “Readjustment benefits”,*  
19 *and “Veterans insurance and indemnities” shall be avail-*  
20 *able for payment of prior year accrued obligations required*  
21 *to be recorded by law against the corresponding prior year*  
22 *accounts within the last quarter of fiscal year 2012.*

23       *SEC. 207. Appropriations available in this title shall*  
24 *be available to pay prior year obligations of corresponding*  
25 *prior year appropriations accounts resulting from sections*

1 3328(a), 3334, and 3712(a) of title 31, United States Code,  
2 except that if such obligations are from trust fund accounts  
3 they shall be payable only from “Compensation and pen-  
4 sions”.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 208. Notwithstanding any other provision of law,  
7 during fiscal year 2013, the Secretary of Veterans Affairs  
8 shall, from the National Service Life Insurance Fund under  
9 section 1920 of title 38, United States Code, the Veterans’  
10 Special Life Insurance Fund under section 1923 of title 38,  
11 United States Code, and the United States Government Life  
12 Insurance Fund under section 1955 of title 38, United  
13 States Code, reimburse the “General operating expenses,  
14 Veterans Benefits Administration” and “Information tech-  
15 nology systems” accounts for the cost of administration of  
16 the insurance programs financed through those accounts:  
17 Provided, That reimbursement shall be made only from the  
18 surplus earnings accumulated in such an insurance pro-  
19 gram during fiscal year 2013 that are available for divi-  
20 dends in that program after claims have been paid and ac-  
21 tuarily determined reserves have been set aside: Provided  
22 further, That if the cost of administration of such an insur-  
23 ance program exceeds the amount of surplus earnings accu-  
24 mulated in that program, reimbursement shall be made  
25 only to the extent of such surplus earnings: Provided fur-

1 *ther, That the Secretary shall determine the cost of adminis-*  
2 *tration for fiscal year 2013 which is properly allocable to*  
3 *the provision of each such insurance program and to the*  
4 *provision of any total disability income insurance included*  
5 *in that insurance program.*

6 *SEC. 209. Amounts deducted from enhanced-use lease*  
7 *proceeds to reimburse an account for expenses incurred by*  
8 *that account during a prior fiscal year for providing en-*  
9 *hanced-use lease services, may be obligated during the fiscal*  
10 *year in which the proceeds are received.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 210. Funds available in this title or funds for*  
13 *salaries and other administrative expenses shall also be*  
14 *available to reimburse the Office of Resolution Management*  
15 *of the Department of Veterans Affairs and the Office of Em-*  
16 *ployment Discrimination Complaint Adjudication under*  
17 *section 319 of title 38, United States Code, for all services*  
18 *provided at rates which will recover actual costs but not*  
19 *to exceed \$42,904,000 for the Office of Resolution Manage-*  
20 *ment and \$3,360,000 for the Office of Employment and Dis-*  
21 *crimination Complaint Adjudication: Provided, That pay-*  
22 *ments may be made in advance for services to be furnished*  
23 *based on estimated costs: Provided further, That amounts*  
24 *received shall be credited to the "General administration"*

1 *and “Information technology systems” accounts for use by*  
2 *the office that provided the service.*

3       *SEC. 211. No appropriations in this title shall be*  
4 *available to enter into any new lease of real property if*  
5 *the estimated annual rental cost is more than \$1,000,000,*  
6 *unless the Secretary submits a report which the Committees*  
7 *on Appropriations of both Houses of Congress approve with-*  
8 *in 30 days following the date on which the report is re-*  
9 *ceived.*

10       *SEC. 212. No funds of the Department of Veterans Af-*  
11 *fairs shall be available for hospital care, nursing home care,*  
12 *or medical services provided to any person under chapter*  
13 *17 of title 38, United States Code, for a non-service-con-*  
14 *nected disability described in section 1729(a)(2) of such*  
15 *title, unless that person has disclosed to the Secretary of*  
16 *Veterans Affairs, in such form as the Secretary may require,*  
17 *current, accurate third-party reimbursement information*  
18 *for purposes of section 1729 of such title: Provided, That*  
19 *the Secretary may recover, in the same manner as any other*  
20 *debt due the United States, the reasonable charges for such*  
21 *care or services from any person who does not make such*  
22 *disclosure as required: Provided further, That any amounts*  
23 *so recovered for care or services provided in a prior fiscal*  
24 *year may be obligated by the Secretary during the fiscal*  
25 *year in which amounts are received.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 213. Notwithstanding any other provision of law,  
3 proceeds or revenues derived from enhanced-use leasing ac-  
4 tivities (including disposal) may be deposited into the  
5 “Construction, major projects” and “Construction, minor  
6 projects” accounts and be used for construction (including  
7 site acquisition and disposition), alterations, and improve-  
8 ments of any medical facility under the jurisdiction or for  
9 the use of the Department of Veterans Affairs. Such sums  
10 as realized are in addition to the amount provided for in  
11 “Construction, major projects” and “Construction, minor  
12 projects”.

13 SEC. 214. Amounts made available under “Medical  
14 services” are available—

15 (1) for furnishing recreational facilities, sup-  
16 plies, and equipment; and

17 (2) for funeral expenses, burial expenses, and  
18 other expenses incidental to funerals and burials for  
19 beneficiaries receiving care in the Department.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 215. Such sums as may be deposited to the Med-  
22 ical Care Collections Fund pursuant to section 1729A of  
23 title 38, United States Code, may be transferred to “Medical  
24 services”, to remain available until expended for the pur-  
25 poses of that account.

23        *SEC. 217. Such sums as may be deposited to the De-*  
24   *partment of Veterans Affairs Capital Asset Fund pursuant*  
25   *to section 8118 of title 38, United States Code, may be*



1 transferred to the “Construction, major projects” and “Con-  
2 struction, minor projects” accounts, to remain available  
3 until expended for the purposes of these accounts.

4 SEC. 218. None of the funds made available in this  
5 title may be used to implement any policy prohibiting the  
6 Directors of the Veterans Integrated Services Networks from  
7 conducting outreach or marketing to enroll new veterans  
8 within their respective Networks.

9 SEC. 219. The Secretary of Veterans Affairs shall sub-  
10 mit to the Committees on Appropriations of both Houses  
11 of Congress a quarterly report on the financial status of  
12 the Veterans Health Administration.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 220. Amounts made available under the “Medical  
15 services”, “Medical support and compliance”, “Medical fa-  
16 cilities”, “General operating expenses, Veterans Benefits  
17 Administration”, “General administration”, and “Na-  
18 tional Cemetery Administration” accounts for fiscal year  
19 2013, may be transferred to or from the “Information tech-  
20 nology systems” account: Provided, That before a transfer  
21 may take place, the Secretary of Veterans Affairs shall re-  
22 quest from the Committees on Appropriations of both  
23 Houses of Congress the authority to make the transfer and  
24 an approval is issued.

1        *SEC. 221. None of the funds appropriated or otherwise*  
2    *made available by this Act or any other Act for the Depart-*  
3    *ment of Veterans Affairs may be used in a manner that*  
4    *is inconsistent with: (1) section 842 of the Transportation,*  
5    *Treasury, Housing and Urban Development, the Judiciary,*  
6    *the District of Columbia, and Independent Agencies Appro-*  
7    *priations Act, 2006 (Public Law 109–115; 119 Stat. 2506);*  
8    *or (2) section 8110(a)(5) of title 38, United States Code.*

9           *SEC. 222. Of the amounts made available to the De-*  
10 *partment of Veterans Affairs for fiscal year 2013, in this*  
11 *Act or any other Act, under the “Medical facilities” account*  
12 *for nonrecurring maintenance, not more than 20 percent*  
13 *of the funds made available shall be obligated during the*  
14 *last 2 months of that fiscal year: Provided, That the Sec-*  
15 *retary may waive this requirement after providing written*  
16 *notice to the Committees on Appropriations of both Houses*  
17 *of Congress.*

18 (INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for “Medical services”, “Medical support and compliance”, “Medical facilities”, “Construction, minor projects”, and “Information technology systems”, up to \$247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility

1 *Demonstration Fund, established by section 1704 of the Na-*  
 2 *tional Defense Authorization Act for Fiscal Year 2010 (Pub-*  
 3 *lic Law 111–84; 123 Stat. 3571) and may be used for oper-*  
 4 *ation of the facilities designated as combined Federal med-*  
 5 *ical facilities as described by section 706 of the Duncan*  
 6 *Hunter National Defense Authorization Act for Fiscal Year*  
 7 *2009 (Public Law 110–417; 122 Stat. 4500): Provided,*  
 8 *That additional funds may be transferred from accounts*  
 9 *designated in this section to the Joint Department of De-*  
 10 *fense-Department of Veterans Affairs Medical Facility*  
 11 *Demonstration Fund upon written notification by the Sec-*  
 12 *retary of Veterans Affairs to the Committees on Appropria-*  
 13 *tions of both Houses of Congress.*

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 224. *Such sums as may be deposited to the Med-*  
 16 *ical Care Collections Fund pursuant to section 1729A of*  
 17 *title 38, United States Code, for healthcare provided at fa-*  
 18 *cilities designated as combined Federal medical facilities as*  
 19 *described by section 706 of the Duncan Hunter National*  
 20 *Defense Authorization Act for Fiscal Year 2009 (Public*  
 21 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*  
 22 *for transfer to the Joint Department of Defense-Department*  
 23 *of Veterans Affairs Medical Facility Demonstration Fund,*  
 24 *established by section 1704 of the National Defense Author-*  
 25 *ization Act for Fiscal Year 2010 (Public Law 111–84; 123*

1 *Stat. 3571*); and (2) for operations of the facilities des-  
 2 *ignated as combined Federal medical facilities as described*  
 3 *by section 706 of the Duncan Hunter National Defense Au-*  
 4 *thorization Act for Fiscal Year 2009 (Public Law 110–417;*  
 5 *122 Stat. 4500).*

6 (INCLUDING TRANSFER OF FUNDS)

7 *SEC. 225. Of the amounts available in this title for*  
 8 *“Medical services”, “Medical support and compliance”, and*  
 9 *“Medical facilities”, a minimum of \$15,000,000, shall be*  
 10 *transferred to the DOD–VA Health Care Sharing Incentive*  
 11 *Fund, as authorized by section 8111(d) of title 38, United*  
 12 *States Code, to remain available until expended, for any*  
 13 *purpose authorized by section 8111 of title 38, United*  
 14 *States Code.*

15 (INCLUDING RESCISSIONS OF FUNDS)

16 *SEC. 226. (a) Of the funds appropriated in title II*  
 17 *of division H of Public Law 112–74, the following amounts*  
 18 *which became available on October 1, 2012, are hereby re-*  
 19 *scinded from the following accounts in the amounts speci-*  
 20 *fied:*

21 (1) *“Department of Veterans Affairs, Medical*  
 22 *services”, \$1,500,000,000.*

23 (2) *“Department of Veterans Affairs, Medical*  
 24 *support and compliance”, \$200,000,000.*

1           (3) “*Department of Veterans Affairs, Medical fa-*  
2           *cilities*”, \$250,000,000.

3           (b) *In addition to amounts provided elsewhere in this*  
4           *Act, an additional amount is appropriated to the following*  
5           *accounts in the amounts specified to remain available until*  
6           *September 30, 2014:*

7           (1) “*Department of Veterans Affairs, Medical serv-*  
8           *ices*”, \$1,500,000,000.

9           (2) “*Department of Veterans Affairs, Medical support*  
10          *and compliance*”, \$200,000,000.

11          (3) “*Department of Veterans Affairs, Medical facili-*  
12          *ties*”, \$250,000,000.

13          *SEC. 227. The Secretary of the Department of Veterans*  
14          *Affairs shall notify the Committees on Appropriations of*  
15          *both Houses of Congress of all bid savings in major con-*  
16          *struction projects that total at least \$5,000,000, or 5 percent*  
17          *of the programmed amount of the project, whichever is less:*  
18          *Provided, That such notification shall occur within 14 days*  
19          *of a contract identifying the programmed amount: Provided*  
20          *further, That the Secretary shall notify the Committees on*  
21          *Appropriations of both Houses of Congress 14 days prior*  
22          *to the obligation of such bid savings and shall describe the*  
23          *anticipated use of such savings.*

24          *SEC. 228. The scope of work for a project included in*  
25          *“Construction, major projects” may not be increased above*

1 the scope specified for that project in the original justifica-  
2 tion data provided to the Congress as part of the request  
3 for appropriations.

4       *SEC. 229. The Secretary of the Department of Veterans*  
5 *Affairs shall provide on a quarterly basis to the Committees*  
6 *on Appropriations of both Houses of Congress notification*  
7 *of any single national outreach and awareness marketing*  
8 *campaign in which obligations exceed \$2,000,000.*

9       *SEC. 230. The Secretary shall submit to the Commit-*  
10 *tees on Appropriations of both Houses of Congress a re-*  
11 *programming request if at any point during fiscal year*  
12 *2013, the funding allocated for a medical care initiative*  
13 *identified in the fiscal year 2013 expenditure plan is ad-*  
14 *justed by more than \$25,000,000 from the allocation shown*  
15 *in the corresponding congressional budget justification.*  
16 *Such a reprogramming request may go forward only if the*  
17 *Committees on Appropriations of both Houses of Congress*  
18 *approve the request or if a period of 14 days has elapsed.*

19       *SEC. 231. None of the funds made available in this*  
20 *Act may be used to enter into a contract using procedures*  
21 *that do not give to small business concerns owned and con-*  
22 *trolled by veterans (as that term is defined in section*  
23 *3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that*  
24 *are included in the database under section 8127(f) of title*  
25 *38, United States Code, any preference available with re-*

1 *spect to such contract, except for a preference given to small*  
2 *business concerns owned and controlled by service-disabled*  
3 *veterans (as defined in section 3(q)(2) of the Small Business*  
4 *Act (15 U.S.C. 632(q)(2)).*

5 *SEC. 232. Funds made available under the heading*  
6 *“Medical services” in title II of division H of Public Law*  
7 *112–74 may be used to carry out section 1787 of title 38,*  
8 *United States Code.*

### 9 *TITLE III*

#### 10 *RELATED AGENCIES*

##### 11 *AMERICAN BATTLE MONUMENTS COMMISSION*

##### 12 *SALARIES AND EXPENSES*

13 *For necessary expenses, not otherwise provided for, of*  
14 *the American Battle Monuments Commission, including the*  
15 *acquisition of land or interest in land in foreign countries;*  
16 *purchases and repair of uniforms for caretakers of national*  
17 *cemeteries and monuments outside of the United States and*  
18 *its territories and possessions; rent of office and garage*  
19 *space in foreign countries; purchase (one-for-one replace-*  
20 *ment basis only) and hire of passenger motor vehicles; not*  
21 *to exceed \$7,500 for official reception and representation*  
22 *expenses; and insurance of official motor vehicles in foreign*  
23 *countries, when required by law of such countries,*  
24 *\$62,929,000, to remain available until expended.*

1            *FOREIGN CURRENCY FLUCTUATIONS ACCOUNT*

2            *For necessary expenses, not otherwise provided for, of*  
3            *the American Battle Monuments Commission, such sums as*  
4            *may be necessary, to remain available until expended, for*  
5            *purposes authorized by section 2109 of title 36, United*  
6            *States Code.*

7            *UNITED STATES COURT OF APPEALS FOR VETERANS*8                            *CLAIMS*9                            *SALARIES AND EXPENSES*

10           *For necessary expenses for the operation of the United*  
11           *States Court of Appeals for Veterans Claims as authorized*  
12           *by sections 7251 through 7298 of title 38, United States*  
13           *Code, \$32,481,000: Provided, That \$2,726,000 shall be*  
14           *available for the purpose of providing financial assistance*  
15           *as described, and in accordance with the process and report-*  
16           *ing procedures set forth, under this heading in Public Law*  
17           *102-229.*

18                            *DEPARTMENT OF DEFENSE—CIVIL*19                            *CEMETERIAL EXPENSES, ARMY*20                            *SALARIES AND EXPENSES*

21           *For necessary expenses for maintenance, operation,*  
22           *and improvement of Arlington National Cemetery and Sol-*  
23           *diers' and Airmen's Home National Cemetery, including*  
24           *the purchase or lease of passenger motor vehicles for replace-*  
25           *ment on a one-for-one basis only, and not to exceed \$1,000*



1 *for official reception and representation expenses,*  
2 *\$65,800,000, of which not to exceed \$27,000,000 shall re-*  
3 *main available until September 30, 2015. In addition, such*  
4 *sums as may be necessary for parking maintenance, repairs*  
5 *and replacement, to be derived from the “Lease of Depart-*  
6 *ment of Defense Real Property for Defense Agencies” ac-*  
7 *count.*

8 *CONSTRUCTION*

9 *For necessary expenses for planning and design and*  
10 *construction at Arlington National Cemetery and Soldiers’*  
11 *and Airmen’s Home National Cemetery, \$103,000,000, to*  
12 *remain available until September 30, 2017, of which,*  
13 *\$84,000,000 shall be for planning and design and construc-*  
14 *tion associated with the Millennium Project at Arlington*  
15 *National Cemetery; and \$19,000,000 shall be for study,*  
16 *planning, design, and architect and engineer services for*  
17 *future expansion of burial space at Arlington National*  
18 *Cemetery.*

19 *ARMED FORCES RETIREMENT HOME*

20 *TRUST FUND*

21 *For expenses necessary for the Armed Forces Retire-*  
22 *ment Home to operate and maintain the Armed Forces Re-*  
23 *tirement Home—Washington, District of Columbia, and the*  
24 *Armed Forces Retirement Home—Gulfport, Mississippi, to*  
25 *be paid from funds available in the Armed Forces Retire-*

1 *ment Home Trust Fund, \$67,590,000, of which \$2,000,000*  
2 *shall remain available until expended for construction and*  
3 *renovation of the physical plants at the Armed Forces Re-*  
4 *tirement Home—Washington, District of Columbia, and the*  
5 *Armed Forces Retirement Home—Gulfport, Mississippi.*

6 *ADMINISTRATIVE PROVISION*

7 *SEC. 301. Funds appropriated in this Act under the*  
8 *heading, “Department of Defense—Civil, Cemeterial Ex-*  
9 *penses, Army”, may be provided to Arlington County, Vir-*  
10 *ginia, for the relocation of the federally owned water main*  
11 *at Arlington National Cemetery, making additional land*  
12 *available for ground burials.*

13 *TITLE IV*

14 *OVERSEAS CONTINGENCY OPERATIONS*

15 *DEPARTMENT OF DEFENSE*

16 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

17 *For an additional amount for “Military Construction,*  
18 *Navy and Marine Corps”, \$150,768,000, to remain avail-*  
19 *able until September 30, 2013: Provided, That such amount*  
20 *is designated by the Congress for Overseas Contingency Op-*  
21 *erations/Global War on Terrorism pursuant to section*  
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
23 *Deficit Control Act of 1985.*

## ADMINISTRATIVE PROVISION

## (INCLUDING RESCISSION OF FUNDS)

SEC. 401. *Of the unobligated balances in section 2005 in title X, of Public Law 112–10 and division H in title IV of Public Law 112–74, \$150,768,000 are hereby rescinded: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

## TITLE V

## GENERAL PROVISIONS

SEC. 501. *No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

SEC. 502. *None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.*

SEC. 503. *No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative rela-*

1 tionships, for publicity or propaganda purposes, and for  
2 the preparation, distribution, or use of any kit, pamphlet,  
3 booklet, publication, radio, television, or film presentation  
4 designed to support or defeat legislation pending before  
5 Congress, except in presentation to Congress itself.

6       *SEC. 504. All departments and agencies funded under*  
7 *this Act are encouraged, within the limits of the existing*  
8 *statutory authorities and funding, to expand their use of*  
9 *“E-Commerce” technologies and procedures in the conduct*  
10 *of their business practices and public service activities.*

11       *SEC. 505. Unless stated otherwise, all reports and noti-*  
12 *fications required by this Act shall be submitted to the Sub-*  
13 *committee on Military Construction and Veterans Affairs,*  
14 *and Related Agencies of the Committee on Appropriations*  
15 *of the House of Representatives and the Subcommittee on*  
16 *Military Construction and Veterans Affairs, and Related*  
17 *Agencies of the Committee on Appropriations of the Senate.*

18       *SEC. 506. None of the funds made available in this*  
19 *Act may be transferred to any department, agency, or in-*  
20 *strumentality of the United States Government except pur-*  
21 *suant to a transfer made by, or transfer authority provided*  
22 *in, this or any other appropriations Act.*

23       *SEC. 507. None of the funds made available in this*  
24 *Act may be used for a project or program named for an*

1 *individual serving as a Member, Delegate, or Resident Com-*  
2 *missioner of the United States House of Representatives.*

3 *SEC. 508. (a) Any agency receiving funds made avail-*  
4 *able in this Act, shall, subject to subsections (b) and (c),*  
5 *post on the public website of that agency any report re-*  
6 *quired to be submitted by the Congress in this or any other*  
7 *Act, upon the determination by the head of the agency that*  
8 *it shall serve the national interest.*

9 *(b) Subsection (a) shall not apply to a report if—*

10 *(1) the public posting of the report compromises*  
11 *national security; or*

12 *(2) the report contains confidential or propri-*  
13 *etary information.*

14 *(c) The head of the agency posting such report shall*  
15 *do so only after such report has been made available to the*  
16 *requesting Committee or Committees of Congress for no less*  
17 *than 45 days.*

18 *SEC. 509. (a) None of the funds made available in this*  
19 *Act may be used to maintain or establish a computer net-*  
20 *work unless such network blocks the viewing, downloading,*  
21 *and exchanging of pornography.*

22 *(b) Nothing in subsection (a) shall limit the use of*  
23 *funds necessary for any Federal, State, tribal, or local law*  
24 *enforcement agency or any other entity carrying out crimi-*  
25 *nal investigations, prosecution, or adjudication activities.*

1       *SEC. 510. None of the funds made available in this*  
2 *Act may be distributed to the Association of Community*  
3 *Organizations for Reform Now (ACORN) or its subsidiaries*  
4 *or successors.*

5       *SEC. 511. (a) IN GENERAL.—None of the funds appro-*  
6 *priated or otherwise made available to the Department of*  
7 *Defense in this Act may be used to construct, renovate, or*  
8 *expand any facility in the United States, its territories, or*  
9 *possessions to house any individual detained at United*  
10 *States Naval Station, Guantanamo Bay, Cuba, for the pur-*  
11 *poses of detention or imprisonment in the custody or under*  
12 *the control of the Department of Defense.*

13       *(b) The prohibition in subsection (a) shall not apply*  
14 *to any modification of facilities at United States Naval*  
15 *Station, Guantanamo Bay, Cuba.*

16       *(c) An individual described in this subsection is any*  
17 *individual who, as of June 24, 2009, is located at United*  
18 *States Naval Station, Guantanamo Bay, Cuba, and who—*

19               *(1) is not a citizen of the United States or a*  
20 *member of the Armed Forces of the United States; and*

21               *(2) is—*

22                       *(A) in the custody or under the effective*  
23 *control of the Department of Defense; or*

24                       *(B) otherwise under detention at United*  
25 *States Naval Station, Guantanamo Bay, Cuba.*

1       *SEC. 512. None of the funds appropriated or otherwise*  
2 *made available in this Act may be used by an agency of*  
3 *the executive branch to pay for first-class travel by an em-*  
4 *ployee of the agency in contravention of sections 301–10.122*  
5 *through 301–10.124 of title 41, Code of Federal Regulations.*

6       *SEC. 513. None of the funds provided in this Act may*  
7 *be used to execute a contract for goods or services, including*  
8 *construction services, where the contractor has not complied*  
9 *with Executive Order No. 12989.*

10       *SEC. 514. None of the funds made available by this*  
11 *Act may be used to enter into a contract, memorandum of*  
12 *understanding, or cooperative agreement with, make a*  
13 *grant to, or provide a loan or loan guarantee to, any cor-*  
14 *poration that was convicted of a felony criminal violation*  
15 *under any Federal law within the preceding 24 months,*  
16 *where the awarding agency is aware of the conviction, un-*  
17 *less the agency has considered suspension or debarment of*  
18 *the corporation and made a determination that this further*  
19 *action is not necessary to protect the interests of the Govern-*  
20 *ment.*

21       *SEC. 515. None of the funds made available by this*  
22 *Act may be used to enter into a contract, memorandum of*  
23 *understanding, or cooperative agreement with, make a*  
24 *grant to, or provide a loan or loan guarantee to, any cor-*  
25 *poration that has any unpaid Federal tax liability that has*

1 *been assessed, for which all judicial and administrative*  
2 *remedies have been exhausted or have lapsed, and that is*  
3 *not being paid in a timely manner pursuant to an agree-*  
4 *ment with the authority responsible for collecting the tax*  
5 *liability, where the awarding agency is aware of the unpaid*  
6 *tax liability, unless the agency has considered suspension*  
7 *or debarment of the corporation and made a determination*  
8 *that this further action is not necessary to protect the inter-*  
9 *ests of the Government.*

10 *SEC. 516. Such sums as may be necessary for fiscal*  
11 *year 2013 for pay raises for programs funded by this Act*  
12 *shall be absorbed within the levels appropriated in this Act.*

13 *SEC. 517. None of the funds made available in this*  
14 *Act may be used to send or otherwise pay for the attendance*  
15 *of more than 50 employees from a Federal department or*  
16 *agency that are stationed within the United States at any*  
17 *single conference occurring outside a state of the United*  
18 *States, except for employees of the Department of Veterans*  
19 *Affairs stationed in the Philippines, unless the relevant Sec-*  
20 *retary reports to the Committees on Appropriations of both*  
21 *Houses of Congress at least 5 days in advance that such*  
22 *attendance is important to the national interest.*

23 *This division may be cited as the “Military Construc-*  
24 *tion and Veterans Affairs, and Related Agencies Appropria-*  
25 *tions Act, 2013”.*



1       ***DIVISION F—FURTHER CONTINUING***  
2               ***APPROPRIATIONS ACT, 2013***

3       *The following sums are hereby appropriated, out of*  
4 *any money in the Treasury not otherwise appropriated,*  
5 *and out of applicable corporate or other revenues, receipts,*  
6 *and funds, for the several departments, agencies, corpora-*  
7 *tions, and other organizational units of Government for fis-*  
8 *cal year 2013, and for other purposes, namely:*

9                               ***TITLE I***

10                           ***GENERAL PROVISIONS***

11       *SEC. 1101. (a) Such amounts as may be necessary, at*  
12 *the level specified in subsection (c) and under the authority*  
13 *and conditions provided in applicable appropriations Acts*  
14 *for fiscal year 2012, for projects or activities (including the*  
15 *costs of direct loans and loan guarantees) that are not other-*  
16 *wise specifically provided for, and for which appropria-*  
17 *tions, funds, or other authority were made available in the*  
18 *following appropriations Acts:*

19               *(1) The Energy and Water Development and Re-*  
20 *lated Agencies Appropriations Act, 2012 (division B*  
21 *of Public Law 112–74).*

22               *(2) The Financial Services and General Govern-*  
23 *ment Appropriations Act, 2012 (division C of Public*  
24 *Law 112–74).*

1           (3) *The Department of the Interior, Environ-*  
2           *ment, and Related Agencies Appropriations Act, 2012*  
3           *(division E of Public Law 112–74).*

4           (4) *The Departments of Labor, Health and*  
5           *Human Services, and Education, and Related Agen-*  
6           *cies Appropriations Act, 2012 (division F of Public*  
7           *Law 112–74).*

8           (5) *The Legislative Branch Appropriations Act,*  
9           *2012 (division G of Public Law 112–74).*

10          (6) *The Department of State, Foreign Oper-*  
11          *ations, and Related Programs Appropriations Act,*  
12          *2012 (division I of Public Law 112–74).*

13          (7) *The Transportation, Housing and Urban De-*  
14          *velopment, and Related Agencies Appropriations Act,*  
15          *2012 (division C of Public Law 112–55), except for*  
16          *the appropriations designated by the Congress as*  
17          *being for disaster relief under the heading “Depart-*  
18          *ment of Transportation, Federal Highway Adminis-*  
19          *tration, Emergency Relief” and in the last proviso of*  
20          *section 239 of such Act.*

21          (8) *The Disaster Relief Appropriations Act, 2012*  
22          *(Public Law 112–77), except for appropriations*  
23          *under the heading “Corps of Engineers—Civil”.*

24          (b) *For purposes of this division, the term “level”*  
25          *means an amount.*

1       (c) *The level referred to in subsection (a) shall be the*  
2 *amounts appropriated in the appropriations Acts referred*  
3 *to in such subsection, including transfers and obligation*  
4 *limitations, except that such level shall be calculated with-*  
5 *out regard to any rescission or cancellation of funds or con-*  
6 *tract authority, other than—*

7           (1) *the 0.16 percent across-the-board rescission*  
8 *in section 436 of division E of Public Law 112–74*  
9 *(relating to the Department of the Interior, Environ-*  
10 *ment, and Related Agencies); and*

11          (2) *the 0.189 percent across-the-board rescission*  
12 *in section 527 of division F of Public Law 112–74,*  
13 *(relating to the Departments of Labor, Health and*  
14 *Human Services, and Education, and Related Agen-*  
15 *cies).*

16       *SEC. 1102. Appropriations made by section 1101 shall*  
17 *be available to the extent and in the manner that would*  
18 *be provided by the pertinent appropriations Act.*

19       *SEC. 1103. Appropriations provided by this division*  
20 *that, in the applicable appropriations Act for fiscal year*  
21 *2012, carried a multiple-year or no-year period of avail-*  
22 *ability shall retain a comparable period of availability.*

23       *SEC. 1104. No appropriation or funds made available*  
24 *or authority granted pursuant to section 1101 shall be used*  
25 *to initiate or resume any project or activity for which ap-*

1 *propriations, funds, or other authority were not available*  
2 *during fiscal year 2012.*

3 *SEC. 1105. Except as otherwise expressly provided in*  
4 *this division, the requirements, authorities, conditions, lim-*  
5 *itations, and other provisions of the appropriations Acts*  
6 *referred to in section 1101 shall continue in effect through*  
7 *the date specified in section 1106.*

8 *SEC. 1106. Unless otherwise provided for in this divi-*  
9 *sion or in the applicable appropriations Act, appropria-*  
10 *tions and funds made available and authority granted pur-*  
11 *suant to this division shall be available through September*  
12 *30, 2013.*

13 *SEC. 1107. Expenditures made pursuant to the Con-*  
14 *tinuing Appropriations Resolution, 2013 (Public Law 112–*  
15 *175) shall be charged to the applicable appropriation, fund,*  
16 *or authorization provided by this division.*

17 *SEC. 1108. Funds appropriated by this division may*  
18 *be obligated and expended notwithstanding section 10 of*  
19 *Public Law 91–672 (22 U.S.C. 2412), section 15 of the*  
20 *State Department Basic Authorities Act of 1956 (22 U.S.C.*  
21 *2680), and section 313 of the Foreign Relations Authoriza-*  
22 *tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).*

23 *SEC. 1109. (a) For entitlements and other mandatory*  
24 *payments whose budget authority was provided in appro-*  
25 *priations Acts for fiscal year 2012, and for activities under*

1 *the Food and Nutrition Act of 2008, the levels established*  
2 *by section 1101 shall be the amounts necessary to maintain*  
3 *program levels under current law and under the authority*  
4 *and conditions provided in the applicable appropriations*  
5 *Acts for fiscal year 2012.*

6 *(b) In addition to the amounts otherwise provided by*  
7 *section 1101, the following amounts shall be available for*  
8 *the following accounts for advance payments for the first*  
9 *quarter of fiscal year 2014:*

10 *(1) “Department of Labor, Office of Workers’*  
11 *Compensation Programs, Special Benefits for Dis-*  
12 *abled Coal Miners”, for benefit payments under title*  
13 *IV of the Federal Mine Safety and Health Act of*  
14 *1977, \$40,000,000, to remain available until ex-*  
15 *pended.*

16 *(2) “Department of Health and Human Services,*  
17 *Centers for Medicare and Medicaid Services, Grants*  
18 *to States for Medicaid”, for payments to States or in*  
19 *the case of section 1928 on behalf of States under title*  
20 *XIX of the Social Security Act, \$106,335,631,000, to*  
21 *remain available until expended.*

22 *(3) “Department of Health and Human Services,*  
23 *Administration for Children and Families, Payments*  
24 *to States for Child Support Enforcement and Family*  
25 *Support Programs”, for payments to States or other*

1        *non-Federal entities under titles I, IV–D, X, XI, XIV,*  
 2        *and XVI of the Social Security Act and the Act of*  
 3        *July 5, 1960 (24 U.S.C. ch. 9), \$1,100,000,000, to re-*  
 4        *main available until expended.*

5            (4) “*Department of Health and Human Services,*  
 6        *Administration for Children and Families, Payments*  
 7        *for Foster Care and Permanency*”, *for payments to*  
 8        *States or other non-Federal entities under title IV–E*  
 9        *of the Social Security Act, \$2,200,000,000.*

10           (5) “*Social Security Administration, Supple-*  
 11        *mental Security Income Program*”, *for benefit pay-*  
 12        *ments under title XVI of the Social Security Act,*  
 13        *\$19,300,000,000, to remain available until expended.*

14        *SEC. 1110. Each amount made available in this divi-*  
 15        *sion by reference to an appropriation that was previously*  
 16        *designated by the Congress for Overseas Contingency Oper-*  
 17        *ations/Global War on Terrorism pursuant to section*  
 18        *251(b)(2)(A) of the Balanced Budget and Emergency Def-*  
 19        *icit Control Act of 1985 or as being for disaster relief pursu-*  
 20        *ant to section 251(b)(2)(D) of such Act is designated by the*  
 21        *Congress for Overseas Contingency Operations/Global War*  
 22        *on Terrorism pursuant to section 251(b)(2)(A) of such Act*  
 23        *or as being for disaster relief pursuant to section*  
 24        *251(b)(2)(D) of such Act, respectively.*

1       *SEC. 1111. With respect to any discretionary account*  
2 *for which advance appropriations were provided for fiscal*  
3 *year 2013 or 2014 in an appropriations Act for fiscal year*  
4 *2012, in addition to amounts otherwise made available by*  
5 *this division, advance appropriations are provided in the*  
6 *same amount for fiscal year 2014 or 2015, respectively,*  
7 *with a comparable period of availability.*

8       *SEC. 1112. (a) Section 147 of the Continuing Appro-*  
9 *priations Act, 2011 (Public Law 111–242), as added by sec-*  
10 *tion 1(a)(2) of the Continuing Appropriations and Surface*  
11 *Transportation Extensions Act, 2011 (Public Law 111–322;*  
12 *5 U.S.C. 5303 note), is amended—*

13       *(1) in subsection (b)(1), by striking the matter after*  
14 *“ending on” and before “shall be made” and inserting “De-*  
15 *cember 31, 2013,”; and*

16       *(2) in subsection (c), by striking the matter after “end-*  
17 *ing on” and before “no senior executive” and inserting “De-*  
18 *cember 31, 2013,”.*

19       *(b) Section 114 of the Continuing Appropriations Res-*  
20 *olution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note)*  
21 *is repealed.*

22       *SEC. 1113. (a) Not later than 30 days after the date*  
23 *of the enactment of this division, each department and*  
24 *agency in subsection (c) shall submit to the Committees on*  
25 *Appropriations of the House of Representatives and the*

1 *Senate a spending, expenditure, or operating plan for fiscal*  
2 *year 2013—*

3 *(1) at the program, project, or activity level (or,*  
4 *for foreign assistance programs funded in titles III,*  
5 *IV and VIII of the Department of State, Foreign Op-*  
6 *erations, and Related Programs Appropriations Act,*  
7 *at the country, regional, and central program level,*  
8 *and for any international organization); or*

9 *(2) as applicable, at any greater level of detail*  
10 *required for funds covered by such a plan in an ap-*  
11 *propriations Act referred to in section 1101, in the*  
12 *joint explanatory statement accompanying such Act,*  
13 *or in committee report language incorporated by ref-*  
14 *erence in such joint explanatory statement.*

15 *(b) If a sequestration is ordered by the President under*  
16 *section 251A of the Balanced Budget and Emergency Def-*  
17 *icit Control Act of 1985, the spending, expenditure, or oper-*  
18 *ating plan required by this section shall reflect such seques-*  
19 *tration.*

20 *(c) The departments and agencies to which this section*  
21 *applies are as follows:*

22 *(1) The Department of Agriculture.*

23 *(2) The Department of Commerce.*

24 *(3) The Department of Education.*

25 *(4) The Department of Energy.*



1           (5) *The Department of Health and Human Serv-*  
2       *ices.*

3           (6) *The Department of Homeland Security.*

4           (7) *The Department of Housing and Urban De-*  
5       *velopment.*

6           (8) *The Department of the Interior.*

7           (9) *The Department of Justice.*

8           (10) *The Department of Labor.*

9           (11) *The Department of State and United States*  
10       *Agency for International Development.*

11          (12) *The Department of Transportation.*

12          (13) *The Department of the Treasury.*

13          (14) *The National Aeronautics and Space Ad-*  
14       *ministration.*

15          (15) *The National Science Foundation.*

16          (16) *The Judiciary.*

17          (17) *With respect to amounts made available*  
18       *under the heading “Executive Office of the President*  
19       *and Funds Appropriated to the President”, agencies*  
20       *funded under such heading.*

21          (18) *The Federal Communications Commission.*

22          (19) *The General Services Administration.*

23          (20) *The Office of Personnel Management.*

24          (21) *The National Archives and Records Admin-*  
25       *istration.*

1           (22) *The Securities and Exchange Commission.*

2           (23) *The Small Business Administration.*

3           (24) *The Environmental Protection Agency.*

4           (25) *The Indian Health Service.*

5           (26) *The Smithsonian Institution.*

6           (27) *The Social Security Administration.*

7           (28) *The Corporation for National and Commu-*  
8 *nity Service.*

9           (29) *The Corporation for Public Broadcasting.*

10          (30) *The Food and Drug Administration.*

11          (31) *The Commodity Futures Trading Commis-*  
12 *sion.*

13        *SEC. 1114. Not later than May 15, 2013, and each*  
14 *month thereafter through November 1, 2013, the Director*  
15 *of the Office of Management and Budget shall submit to*  
16 *the Committees on Appropriations of the House of Rep-*  
17 *resentatives and the Senate a report on all obligations in-*  
18 *curred in fiscal year 2013, by each department and agency,*  
19 *using funds made available by this division. Such report*  
20 *shall—*

21               (1) *set forth obligations by account; and*

22               (2) *compare the obligations incurred in the pe-*  
23 *riod covered by the report to the obligations incurred*  
24 *in the same period in fiscal year 2012.*

## ENERGY AND WATER DEVELOPMENT

5        *SEC. 1201. The amounts available for “Corps of Engi-*  
6        *neers—Civil, Department of the Army, Corps of Engi-*  
7        *neers—Civil, Construction” are hereby reduced by*  
8        *\$20,000,000.*

9           *SEC. 1202. Notwithstanding section 1101, the level for*  
10   *“Department of the Interior, Central Utah Project, Central*  
11   *Utah Project Completion Account” shall be \$19,700,000, of*  
12   *which, \$1,200,000 shall be deposited into the “Utah Rec-*  
13   *lamation Mitigation and Conservation Account” for use by*  
14   *the Utah Reclamation Mitigation and Conservation Com-*  
15   *mission. In addition \$1,300,000 is provided for necessary*  
16   *expenses incurred in carrying out the responsibilities of the*  
17   *Secretary of the Interior.*

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1        *SEC. 1204. Notwithstanding section 1101, of the unob-*  
2 *ligated balances from prior year appropriations available*  
3 *under “Department of Energy, Northeast Home Heating*  
4 *Oil Reserve” \$6,000,000 are hereby permanently rescinded:*  
5 *Provided, That no amounts may be rescinded from amounts*  
6 *that were designated as an emergency requirement pursu-*  
7 *ant to the Concurrent Resolution on the Budget or the Bal-*  
8 *anced Budget and Emergency Deficit Control Act of 1985.*

9        *SEC. 1205. (a) Notwithstanding section 1101, the level*  
10 *for “Department of Energy, Atomic Energy Defense Activi-*  
11 *ties, National Nuclear Security Administration, Weapons*  
12 *Activities” shall be \$7,577,341,000.*

13        *(b) Section 301(c) of division B of Public Law 112–*  
14 *274 shall not apply to amounts made available by this sec-*  
15 *tion.*

16        *SEC. 1206. In addition to amounts otherwise made*  
17 *available by this division, \$110,000,000 is appropriated for*  
18 *“Department of Energy, Atomic Energy Defense Activities,*  
19 *National Nuclear Security Administration, Defense Nuclear*  
20 *Nonproliferation” for domestic uranium enrichment re-*  
21 *search, development, and demonstration.*

22        *SEC. 1207. Section 14704 of title 40, United States*  
23 *Code, shall be applied to amounts made available by this*  
24 *division by substituting the date specified in section 1106*  
25 *of this division for “October 1, 2012”.*

1 *TITLE III*  
2 *FINANCIAL SERVICES AND GENERAL*  
3 *GOVERNMENT*

4 *SEC. 1301. (a) Notwithstanding any other provision*  
5 *of this division, except section 1106, the District of Colum-*  
6 *bia may expend local funds under the heading “District of*  
7 *Columbia Funds” for such programs and activities under*  
8 *title IV of H.R. 6020 (112th Congress), as reported by the*  
9 *Committee on Appropriations of the House of Representa-*  
10 *tives, at the rate set forth under “District of Columbia*  
11 *Funds—Summary of Expenses” as included in the Fiscal*  
12 *Year 2013 Budget Request Act of 2012 (D.C. Act 19–381),*  
13 *as modified as of the date of the enactment of this division.*

14 *(b) Section 803(b) of the Financial Services and Gen-*  
15 *eral Government Appropriations Act, 2012 (division C of*  
16 *Public Law 112–74; 125 Stat. 940) is amended by striking*  
17 *“November 1, 2012” and inserting “November 1, 2013”.*

18 *SEC. 1302. Notwithstanding section 1101, the level for*  
19 *“District of Columbia, Federal Funds, Federal Payment for*  
20 *Emergency Planning and Security Costs in the District of*  
21 *Columbia” shall be \$24,700,000, of which not less than*  
22 *\$9,800,000 shall be used for costs associated with the Presi-*  
23 *dential Inauguration.*

24 *SEC. 1303. Notwithstanding section 1101, the fifth*  
25 *proviso under the heading “Federal Communications Com-*

1 mission, *Salaries and Expenses*” in division C of Public  
2 Law 112–74 shall be applied by substituting “\$98,739,000”  
3 for “\$85,000,000”.

4       *SEC. 1304. Notwithstanding any other provision of*  
5 *this division, amounts made available by section 1101 for*  
6 *“Department of the Treasury, Departmental Offices, Sala-*  
7 *ries and Expenses” and “Department of the Treasury, Of-*  
8 *fice of Inspector General, Salaries and Expenses” may be*  
9 *used for activities in connection with section 1602(e) of the*  
10 *Resources and Ecosystems Sustainability, Tourist Opportu-*  
11 *nities, and Revived Economies of the Gulf Coast States Act*  
12 *of 2012 (subtitle F of title I of division A of Public Law*  
13 *112–141).*

14       *SEC. 1305. Notwithstanding section 1101, the level for*  
15 *“Office of Government Ethics, Salaries and Expenses” shall*  
16 *be \$18,664,000, of which \$5,000,000 shall be for develop-*  
17 *ment and deployment of the centralized, publicly accessible*  
18 *database required in section 11(b) of the STOCK Act (Pub-*  
19 *lic Law 112–105).*

20       *SEC. 1306. Notwithstanding section 1101, the level for*  
21 *“Small Business Administration, Business Loans Program*  
22 *Account” for the cost of guaranteed loans as authorized by*  
23 *section 7(a) of the Small Business Act and section 503 of*  
24 *the Small Business Investment Act of 1958 shall be*  
25 *\$333,600,000.*

1        *SEC. 1307. Of the unobligated balances available for*  
2    *“Department of the Treasury, Treasury Forfeiture Fund”,*  
3    *\$950,000,000 are rescinded.*

4        *SEC. 1308. Notwithstanding section 1101, the Commu-*  
5    *nity Development Financial Institutions Fund is author-*  
6    *ized during Fiscal Year 2013 to guarantee bonds and notes*  
7    *pursuant section 114A of the Riegle Community Develop-*  
8    *ment and Regulatory Improvement Act of 1994 (12 U.S.C.*  
9    *4701 et seq.): Provided, That no funds appropriated by this*  
10   *Act for “Department of the Treasury—Community Devel-*  
11   *opment Financial Institutions Fund Program Account”*  
12   *shall be available for the cost, if any, of guaranteed loans*  
13   *(as defined in section 502 of the Congressional Budget Act*  
14   *of 1974) pursuant to section 114A of the Riegle Community*  
15   *Development and Regulatory Improvement Act of 1994 (12*  
16   *U.S.C. 4701 et seq.) to subsidize total loan principal not*  
17   *to exceed \$500,000,000.*

18        *SEC. 1309. Sections 9503(a), 9504(a) and (b), and*  
19    *9505(a) of title 5, United States Code, are amended by*  
20    *striking “Before July 23, 2013” each place it occurs and*  
21    *inserting “Before September 30, 2013”.*

22        *SEC. 1310. Notwithstanding section 1101, the level for*  
23    *“Executive Office of The President and Funds Appropriated*  
24    *to the President, Partnership Fund for Program Integrity*  
25    *Innovation” shall be \$0.*

1        *SEC. 1311. Notwithstanding section 1101, the level for*  
2        *“The Judiciary, Courts of Appeals, District Courts, and*  
3        *Other Judicial Services, Defender Services” shall be*  
4        *\$1,040,000,000.*

5        *SEC. 1312. (a) Section 203(c) of the Judicial Improve-*  
6        *ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133*  
7        *note), as amended, is amended—*

8                *(1) in the third sentence (relating to the district*  
9                *of Kansas), by striking “21 years or more” and in-*  
10               *serting “22 years and 6 months or more”; and*

11               *(2) in the seventh sentence (relating to the dis-*  
12               *trict of Hawaii), by striking “18 years or more” and*  
13               *inserting “19 years and 6 months or more”.*

14        *(b) Section 406 of the Transportation, Treasury,*  
15        *Housing and Urban Development, The Judiciary, The Dis-*  
16        *trict of Columbia, and Independent Agencies Appropria-*  
17        *tions Act of 2006 (Public Law 109–115; 119 Stat. 2470;*  
18        *28 U.S.C. 133 note) is amended in the second sentence (re-*  
19        *lating to the eastern district of Missouri) by inserting “and*  
20        *6 months” after “20 years”.*

21        *(c) Section 312(c)(2) of the 21st Century Department*  
22        *of Justice Appropriations Authorization Act (Public Law*  
23        *107–273; 28 U.S.C. 133 note) is amended—*

24               *(1) by inserting after “authorized by this sub-*  
25               *section” the following: “, except in the case of the cen-*



1        *tral district of California and the western district of*  
2        *North Carolina”;*

3            *(2) by striking “10 years” and inserting “11*  
4        *years”;* and

5            *(3) by adding at the end the following: “The first*  
6        *vacancy in the office of district judge in the central*  
7        *district of California occurring 10 years and 6*  
8        *months or more after the confirmation date of the*  
9        *judge named to fill the temporary district judgeship*  
10       *created in that district by this subsection, shall not be*  
11       *filled. The first vacancy in the office of district judge*  
12       *in the western district of North Carolina occurring 10*  
13       *years or more after the confirmation date of the judge*  
14       *named to fill the temporary district judgeship created*  
15       *in that district by this subsection, shall not be filled.”.*

16        *SEC. 1313. Notwithstanding section 1101 of this divi-*  
17       *sion or division A, the level for the “Commodity Futures*  
18       *Trading Commission” shall be the level specified under*  
19       *Public Law 112–55 and the authorities and conditions, in-*  
20       *cluding comparable periods of availability, provided under*  
21       *such Public Law shall apply to such appropriation.*

22        *SEC. 1314. Notwithstanding section 1101, the level for*  
23       *“Federal Deposit Insurance Corporation, Office of the In-*  
24       *spector General” shall be \$34,568,000.*

1 *TITLE IV*  
2 *INTERIOR, ENVIRONMENT, AND RELATED*  
3 *AGENCIES*

4 *SEC. 1401. Notwithstanding section 1101, the levels for*  
5 *the following appropriations of the Department of the Inte-*  
6 *rior shall be:*

7 (a) \$950,757,000 for “Bureau of Land Management,  
8 Management of Lands and Resources”: *Provided, That the*  
9 *amounts included under such heading in division E of Pub-*  
10 *lic Law 112–74 shall be applied to funds appropriated by*  
11 *this division by substituting “\$950,757,000” for*  
12 *“\$961,900,000” the second place it appears;*

13 (b) \$0 for “Bureau of Land Management, Construc-  
14 tion”;

15 (c) \$1,213,915,000 for “United States Fish and Wild-  
16 life Service, Resource Management”;

17 (d) \$19,136,000 for “United States Fish and Wildlife  
18 Service, Construction”;

19 (e) \$2,214,202,000 for “National Park Service, Oper-  
20 ation of the National Park Service”;

21 (f) \$131,173,000 for “National Park Service, Construc-  
22 tion”;

23 (g) \$105,910,000 for “Bureau of Indian Affairs, Con-  
24 struction”;

1       (h) \$84,946,000 for “Insular Affairs, Assistance to Ter-  
 2       ritories”: Provided, That the matter under such heading in  
 3       division E of Public Law 112–74 shall be applied to funds  
 4       appropriated by this division as follows: by substituting  
 5       “\$75,684,000” for “\$78,517,000”; and by substituting  
 6       “\$9,262,000” for “\$9,480,000”;

7       (i) \$146,000,000 for “Office of the Special Trustee for  
 8       American Indians, Federal Trust Programs”; and

9       (j) \$726,473,000 for “Department-wide Programs,  
 10      Wildland Fire Management”: Provided, That of the  
 11      amounts made available by section 140(b) of Public Law  
 12      112–175 (126 Stat. 1321), \$7,500,000 are rescinded.

13      SEC. 1402. The contract authority provided for fiscal  
 14      year 2013 by 16 U.S.C. 460l–10a is rescinded.

15      SEC. 1403. Section 10101(a) of the Omnibus Budget  
 16      Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended  
 17      by section 430 of the Department of the Interior, Environ-  
 18      ment, and Related Agencies Appropriations Act, 2012 (di-  
 19      vision E of Public Law 112–74; 125 Stat. 1047), is further  
 20      amended—

21               (1) in paragraph (1) in the first sentence, by  
 22      striking “on” the first place it appears and inserting  
 23      “before, on,”; and

24               (2) in paragraph (2)—

1           (A) by striking “located” the second place it  
2           appears;

3           (B) by inserting at the end of the following:  
4           “Such claim maintenance fee shall be in lieu of  
5           the assessment work requirement contained in  
6           the Mining Law of 1872 (30 U.S.C. 28 to 28e)  
7           and the related filing requirements contained in  
8           section 314(a) and (c) of the Federal Land Pol-  
9           icy and Management Act of 1976 (43 U.S.C.  
10          1744(a) and (c)).”; and

11          (C) by striking “(a)” in the first sentence  
12          and inserting “(a)(1)”.

13          SEC. 1404. (a) Division II of Public Law 104–333 (16  
14          U.S.C. 461 note) is amended in each of sections 107, 208,  
15          310, 408, 507, 607, 707, 809, and 910, by striking “2012”  
16          and inserting “2013”.

17          (b) Effective on October 12, 2012, section 7 of Public  
18          Law 99–647, as amended by section 702(d) of Public Law  
19          109–338 and section 1767 of Public Law 112–10, is further  
20          amended by striking “the date” and all that follows and  
21          inserting “September 30, 2013”.

22          (c) Section 12 of Public Law 100–692 (16 U.S.C. 461  
23          note) is amended—

24               (1) in subsection (c)(1), by striking “2012” and  
25               inserting “2013”; and

1           (2) in subsection (d), by striking “the date that  
2           is 5 years after the date of enactment of this sub sec-  
3           tion” and inserting “September 30, 2013”.

4           (d) Section 108 of Public Law 106–278 (16 U.S.C. 461  
5           note) is amended by striking “2012” and inserting “2013”.

6           SEC. 1405. Notwithstanding section 1101, the levels for  
7           the following appropriations of the Environmental Protec-  
8           tion Agency shall be:

9           (a) \$785,291,000 for “Science and Technology”;

10          (b) \$2,651,440,000 for “Environmental Programs and  
11          Management”;

12          (c) \$1,176,431,000 for “Hazardous Substance Super-  
13          fund”: Provided, That the matter under such heading in  
14          division E of Public Law 112–74 shall be applied to funds  
15          appropriated by this division as follows: by substituting  
16          “\$1,176,431,000” for “\$1,215,753,000” the second place it  
17          appears; and by substituting “September 30, 2012” for  
18          “September 30, 2011”; and

19          (d) \$3,579,094,000 for “State and Tribal Assistance  
20          Grants”: Provided, That the amounts included under such  
21          hearing in division E of Public Law 112–74 shall be ap-  
22          plied to fund appropriated by this division as follows: by  
23          substituting “\$1,451,791,000” for “\$1,468,806,000”; by sub-  
24          stituting “\$908,713,000” for “\$919,363,000”; and by sub-  
25          stituting “\$19,952,000” for “\$30,000,000”.

1        *SEC. 1406. (a) Of the unobligated balances available*  
2 *to the Environmental Protection Agency under the fol-*  
3 *lowing headings from prior appropriation Acts, the fol-*  
4 *lowing amounts are rescinded:*

5            (1)    *“Hazardous Substance Superfund”,*  
6        *\$15,000,000.*

7            (2)    *“State and Tribal Assistance Grants”,*  
8        *\$35,000,000, as follows:*

9                    (A)    *\$10,000,000 from unobligated*  
10        *Brownfields balances.*

11                   (B) *\$5,000,000 from unobligated categorical*  
12        *grant balances.*

13                   (C) *\$10,000,000 from unobligated Drinking*  
14        *Water State Revolving Funds balances.*

15                   (D) *\$10,000,000 from unobligated Clean*  
16        *Water State Revolving Funds balances.*

17        (b) *No amounts may be rescinded under subsection (a)*  
18 *from amounts that were designated by the Congress as an*  
19 *emergency requirement pursuant to a concurrent resolution*  
20 *on the budget or the Balanced Budget and Emergency Def-*  
21 *icit Control Act of 1985.*

22        *SEC. 1407. Notwithstanding subsection (d)(2) of sec-*  
23 *tion 33 of the Federal Insecticide, Fungicide, and*  
24 *Rodenticide Act (7 U.S.C. 136w–8), the Administrator of*  
25 *the Environmental Protection Agency may assess pesticide*

1 registration service fees under such section for fiscal year  
2 2013.

3 SEC. 1408. Notwithstanding section 1101, the levels for  
4 the following appropriations of the Department of Agri-  
5 culture shall be:

6 (a) \$1,536,596,000 for “Forest Service, National For-  
7 est System”;

8 (b) \$369,800,000 for “Forest Service, Capital Improve-  
9 ment and Maintenance”; and

10 (c) \$1,971,390,000 for “Forest Service, Wildland Fire  
11 Management”.

12 SEC. 1409. Notwithstanding section 1101, the levels for  
13 the following appropriations of the Department of Health  
14 and Human Services shall be:

15 (a) \$3,914,599,000 for “Indian Health Service, Indian  
16 Health Services”; and

17 (b) \$441,605,000 for “Indian Health Service, Indian  
18 Health Facilities”.

19 SEC. 1410. Notwithstanding section 1101, the level for  
20 “Smithsonian Institution, Salaries and Expenses” shall be  
21 \$640,512,000.

22 SEC. 1411. Notwithstanding section 1101, the level for  
23 “Advisory Council on Historic Preservation, Salaries and  
24 Expenses” shall be \$7,023,000: Provided, That of the funds  
25 appropriated herein, \$1,300,000, to remain available until

1 *expended, may be used for expenses related to the relocation*  
2 *from the Old Post Office Building.*

3 *SEC. 1412. Notwithstanding section 1101, the level for*  
4 *“Presidio Trust, Presidio Trust Fund” shall be \$0.*

5 *SEC. 1413. Notwithstanding section 1101, the level for*  
6 *“Dwight D. Eisenhower Memorial Commission, Salaries*  
7 *and Expenses” shall be \$1,050,000 and the level for*  
8 *“Dwight D. Eisenhower Memorial Commission, Capital*  
9 *Construction” shall be \$0: Provided, That section 8162(m)*  
10 *of the Department of Defense Appropriations Act, 2000 (40*  
11 *U.S.C. 8903 note; Public Law 106–79), as added by section*  
12 *8120 (a) of Public Law 107–117 (115 Stat. 2273), is*  
13 *amended by adding at the end the following:*

14 *“(3) EXPIRATION.—Any reference in section*  
15 *8903(e) of title 40, U.S.C. to the expiration at the end*  
16 *of, or extension beyond, a 7-year period shall be con-*  
17 *sidered to be a reference to an expiration on, or exten-*  
18 *sion beyond, September 30, 2013.”.*

19 *SEC. 1414. Notwithstanding section 1101, section 408*  
20 *of division E of Public Law 112–74 (125 Stat. 1038) shall*  
21 *be applied to funds appropriated by this division by sub-*  
22 *stituting “112–10, and 112–74” for “112–10” and by sub-*  
23 *stituting “2012” for “2011”.*

24 *SEC. 1415. The authority provided by section 331 of*  
25 *the Department of the Interior and Related Agencies Appro-*



1 *priations Act, 2000 (enacted by reference in section*  
 2 *1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note)*  
 3 *shall continue in effect through the date specified in section*  
 4 *1106 of this division.*

5       *SEC. 1416. No funds made available under this Act*  
 6 *shall be used for a 180-day period beginning on date of*  
 7 *enactment of this Act to enforce with respect to any farm*  
 8 *(as that term is defined in section 112.2 of title 40, Code*  
 9 *of Federal Regulations (or successor regulations)) the Spill,*  
 10 *Prevention, Control, and Countermeasure rule, including*  
 11 *amendments to that rule, promulgated by the Environ-*  
 12 *mental Protection Agency under part 112 of title 40, Code*  
 13 *of Federal Regulations.*

## 14                                   *TITLE V*

### 15       *LABOR, HEALTH AND HUMAN SERVICES, AND*

### 16                   *EDUCATION, AND RELATED AGENCIES*

#### 17                                   *(INCLUDING TRANSFER OF FUNDS)*

18       *SEC. 1501. Of the funds available to the Department*  
 19 *of Labor, Employment and Training Administration in*  
 20 *this or any other Act making appropriations that remain*  
 21 *unobligated as of the date of enactment of this Act, up to*  
 22 *\$30,000,000 may be transferred to “Department of Labor,*  
 23 *Employment and Training Administration, Office of Job*  
 24 *Corps” for Job Corps operations for program years 2012*  
 25 *and 2013 and shall be in addition to any other amounts*

1 available to the Office of Job Corps for such purposes: Pro-  
2 vided, That not less than \$10,000,000 shall be transferred  
3 within 30 days of enactment of this Act to support Job  
4 Corps operations for the program year ending June 30,  
5 2013: Provided further, That not later than 15 days after  
6 any transfer has been made under the authority of this sec-  
7 tion, the Secretary of Labor shall submit a report to the  
8 Committees on Appropriations of the House of Representa-  
9 tives and the Senate that details the source of the trans-  
10 ferred funds, the specific programs, projects, or activities  
11 for which such funds will be used, provides a detailed expla-  
12 nation of the need for such transfer, and itemizes the cost  
13 saving measures implemented by the Office of the Job Corps  
14 during Program Years 2012 and 2013 and the savings  
15 gained by implementing each initiative.

16       SEC. 1502. Notwithstanding section 1101, the level  
17 which may be expended from the Employment Security Ad-  
18 ministration Account of the Unemployment Trust Fund for  
19 administrative expenses of “Department of Labor, Employ-  
20 ment and Training Administration, State Unemployment  
21 Insurance and Employment Service Operations” shall be  
22 \$3,940,865,000 (which includes all amounts available to  
23 conduct in-person reemployment and eligibility assessments  
24 and unemployment insurance improper payment reviews),  
25 of which \$3,115,142,000 shall be for grants to the States

1 *for the administration of State unemployment insurance*  
2 *laws under paragraph (1). For the purposes of this section,*  
3 *the first proviso under this heading in Public Law 112–*  
4 *74 shall be applied by substituting “2013” and “4,585,000”*  
5 *for “2012” and “4,832,000”, respectively.*

6       *SEC. 1503. Notwithstanding section 1101, language*  
7 *under the heading “Department of Labor, Mine Safety and*  
8 *Health Administration, Salaries and Expenses” in Public*  
9 *Law 112–74 shall be applied to funds appropriated by this*  
10 *Act by substituting “is authorized to collect and retain up*  
11 *to \$2,499,000” for “may retain up to \$1,499,000”.*

12       *SEC. 1504. Notwithstanding section 1101, the level for*  
13 *“Department of Labor, Veterans Employment and Train-*  
14 *ing” shall be \$264,436,000, of which \$226,251,000 shall be*  
15 *derived from the Employment Security Administration Ac-*  
16 *count in the Unemployment Trust Fund: Provided, That*  
17 *the level provided under such heading for Veterans Work-*  
18 *force Investment Program grants shall be used for the Tran-*  
19 *sition Assistance Program and activities authorized by the*  
20 *VOW to Hire Heroes Act of 2011, shall be available through*  
21 *September 30, 2013, and shall be in addition to any other*  
22 *funds available for those purposes: Provided further, That*  
23 *of the level provided under such heading, not less than*  
24 *\$14,000,000 shall be for the Transition Assistance Program,*

1 *and \$3,414,000 shall be for the National Veterans' Employ-*  
2 *ment and Training Services Institute.*

3       *SEC. 1505. All funds provided for the Health Centers*  
4 *program, as defined by section 330 of the Public Health*  
5 *Service Act, by this Act or any other Act providing appro-*  
6 *priations for fiscal year 2013 shall be obligated by the Sec-*  
7 *retary of Health and Human Services by September 30,*  
8 *2013, of which \$48,000,000 shall be awarded for base grant*  
9 *adjustments.*

10       *SEC. 1506. The Director of the Centers for Disease*  
11 *Control and Prevention (hereafter referred to in this divi-*  
12 *sion as "CDC") may detail CDC staff without reimburse-*  
13 *ment for up to 30 days to support an activation of the CDC*  
14 *Emergency Operations Center, so long as the Director pro-*  
15 *vides notification within 15 days of the use of this authority*  
16 *and a full report to the Committees on Appropriations of*  
17 *the House of Representatives and the Senate within 30 days*  
18 *after the use of this authority, which includes the number*  
19 *of staff and funding level broken down by the originating*  
20 *center and number of days detailed: Provided, That the an-*  
21 *nual reimbursement cannot exceed \$3,000,000 across CDC.*

22                   *(INCLUDING TRANSFER OF FUNDS)*

23       *SEC. 1507. To facilitate the implementation of the per-*  
24 *manent Working Capital Fund ("WCF") authorized in*  
25 *Public Law 112-74, on or after October 1, 2013, unobli-*

1 *gated balances of amounts appropriated for business serv-*  
2 *ices for fiscal year 2013 shall be transferred to the WCF:*  
3 *Provided, That on or after October 1, 2013, the CDC shall*  
4 *transfer other amounts available for business services to*  
5 *other CDC appropriations consistent with the benefit each*  
6 *appropriation received from the business services appro-*  
7 *priation in fiscal year 2013: Provided further, That assets*  
8 *purchased with funds appropriated for or reimbursed to*  
9 *business services in this or any other Act may be transferred*  
10 *to the WCF and customers billed for depreciation of those*  
11 *assets: Provided further, That CDC shall, consistent with*  
12 *the authorities provided in 42 U.S.C. 231, ensure that the*  
13 *WCF is used only for administrative support services and*  
14 *not for programmatic activity funding: Provided further,*  
15 *That CDC shall notify the Committees on Appropriations*  
16 *of the House of Representatives and the Senate not later*  
17 *than 15 days prior to any transfer made under the author-*  
18 *ity provided in this section.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 1508. Notwithstanding section 1101, the level for*  
21 *“Department of Health and Human Services, National In-*  
22 *stitutes of Health, Office of the Director” shall be*  
23 *\$1,528,181,000: Provided, That the fourth proviso under*  
24 *such heading shall be applied to funds appropriated by this*  
25 *Act by substituting the following: “: Provided further, That*

1 \$165,000,000 shall be for the National Children’s Study  
2 (NCS), except that not later than July 15, 2013 the Director  
3 shall estimate the amount needed for the NCS during fiscal  
4 year 2013, taking into account the succeeding proviso, and  
5 any funds in excess of the estimated need shall be trans-  
6 ferred to and merged with the accounts for the various Insti-  
7 tutes and Centers of NIH in proportion to their shares of  
8 total NIH appropriations made by this Act: Provided fur-  
9 ther, That the Director shall contract with the National  
10 Academy of Sciences within 60 days of enactment of this  
11 Act to appoint an expert Institute of Medicine/National Re-  
12 search Council (IOM/NRC) panel to conduct a comprehen-  
13 sive review and issue a report regarding proposed meth-  
14 odologies for the NCS Main Study, including whether such  
15 methodologies are likely to produce scientifically sound re-  
16 sults that are generalizable to the United States population  
17 and appropriate sub-populations: Provided further, That no  
18 contracts shall be awarded for conducting the Main Study  
19 until at least 60 days after the IOM/NRC report has been  
20 available to the public:”.

21 SEC. 1509. Notwithstanding section 1101, the level for  
22 “Department of Health and Human Services, Administra-  
23 tion for Children and Families, Refugee and Entrant As-  
24 sistance” shall be \$1,016,000,000.

1       *SEC. 1510. Notwithstanding section 1101, the level for*  
2   *“Department of Health and Human Services, Administra-*  
3   *tion for Children and Families, Payments to States for the*  
4   *Child Care and Development Block Grant” shall be*  
5   *\$2,328,313,000: Provided, That in addition to the amounts*  
6   *required to be reserved by the States under section 658G*  
7   *of the Child Care and Development Block Grant Act,*  
8   *\$297,078,000 shall be reserved by the States for activities*  
9   *authorized under section 658G of such Act, of which*  
10   *\$108,950,000 shall be for activities that improve the quality*  
11   *of infant and toddler care.*

12       *SEC. 1511. In addition to amounts otherwise made*  
13   *available by section 1101, \$33,500,000 is appropriated for*  
14   *“Department of Health and Human Services, Administra-*  
15   *tion for Children and Families, Children and Families*  
16   *Services” for making payments under the Head Start Act:*  
17   *Provided, That notwithstanding section 640 of such Act, up*  
18   *to \$25,000,000 of such funds shall be available for allocation*  
19   *by the Secretary to supplement activities described in para-*  
20   *graphs (7)(B) and (9) of section 641(c) of the Head Start*  
21   *Act under the Designation Renewal System, established*  
22   *under the authority of sections 641(c)(7), 645A(b)(12) and*  
23   *645A(d) of such Act: Provided further, That amounts allo-*  
24   *cated to Head Start grantees at the discretion of the Sec-*  
25   *retary to supplement activities pursuant to the previous*

1 *proviso shall not be included in the calculation of the “base*  
2 *grant” in subsequent fiscal years, as such term is used in*  
3 *section 640(a)(7)(A) of the Head Start Act.*

4       *SEC. 1512. Notwithstanding section 1101, the level for*  
5 *“Department of Health and Human Services, Office of the*  
6 *Secretary, Public Health and Social Services Emergency*  
7 *Fund” shall be increased by \$17,000,000 for expenses nec-*  
8 *essary for replacement of building leases and associated ren-*  
9 *ovation costs for Public Health Service agencies and other*  
10 *components of the Department of Health and Human Serv-*  
11 *ices, including relocation and fit-out costs, to remain avail-*  
12 *able until expended.*

13       *SEC. 1513. Of the amount provided by section 1101*  
14 *for “Department of Education, Safe Schools and Citizen-*  
15 *ship Education” for subpart 2 of part A of title IV of the*  
16 *Elementary and Secondary Education Act of 1965,*  
17 *\$3,000,000, to remain available until expended, shall be for*  
18 *the Project School Emergency Response to Violence program*  
19 *to provide education-related services to local educational*  
20 *agencies and institutions of higher education in which the*  
21 *learning environment has been disrupted due to a violent*  
22 *or traumatic crisis.*

23       *SEC. 1514. Notwithstanding section 1101, the provisos*  
24 *under the heading “Department of Education—Special*  
25 *Education” shall be applicable as if the following four pro-*



1 visos were inserted after the first proviso: “: Provided fur-  
 2 ther, That the Secretary shall distribute to all other States  
 3 (as that term is defined in section 611(g)(2)), subject to the  
 4 third proviso, any amount by which a State’s allocation  
 5 under section 611(d), from funds appropriated under this  
 6 heading, is reduced under section 612(a)(18)(B), in accord-  
 7 ance with section 611(d)(3)(A)(i)(II) and (III) without re-  
 8 gard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B):  
 9 Provided further, That the Secretary may not distribute  
 10 any funds under the previous proviso to any State whose  
 11 reduction in allocation from funds appropriated under this  
 12 heading made funds available for such a distribution: Pro-  
 13 vided further, That the States shall allocate such funds dis-  
 14 tributed under the second preceding proviso to local edu-  
 15 cational agencies in accordance with section 611(f): Pro-  
 16 vided further, That the amount by which a State’s alloca-  
 17 tion under section 611(d) of the IDEA is reduced under  
 18 section 612(a)(18)(B) and the amounts distributed to States  
 19 under the previous provisos from funds appropriated for fis-  
 20 cal year 2012 or any subsequent year shall not be consid-  
 21 ered in calculating the awards under section 611(d) for fis-  
 22 cal year 2013 or for any subsequent fiscal years:”.

23 SEC. 1515. Of the amount provided by section 1101  
 24 for “Department of Education, Higher Education” for sub-  
 25 part 2 of part A of title VII of the Higher Education Act

1 of 1965, up to \$4,451,000 shall be available to fund continu-  
2 ation awards for projects originally supported under sub-  
3 part 1 of part A of title VII of such act.

4 SEC. 1516. Notwithstanding section 1101, the level for  
5 “Railroad Retirement Board, Limitation on Administra-  
6 tion” shall be \$111,149,000.

7 SEC. 1517. Notwithstanding section 1101, the level for  
8 “Social Security Administration, Supplemental Security  
9 Income Program” for research and demonstrations under  
10 sections 1110, 1115, and 1144 of the Social Security Act  
11 shall be \$17,000,000.

12 SEC. 1518. Of the funds made available by section  
13 1101 for “Social Security Administration, Limitation on  
14 Administrative Expenses”, \$23,000,000 shall be for section  
15 1149 of the Social Security Act and \$7,000,000 shall be for  
16 section 1150 of the Social Security Act.

17 SEC. 1519. Of the funds made available by section  
18 1101 for “Social Security Administration, Limitation on  
19 Administrative Expenses” for the cost associated with con-  
20 tinuing disability reviews under titles II and XVI of the  
21 Social Security Act and for the cost associated with con-  
22 ducting redeterminations of eligibility under title XVI of  
23 the Social Security Act, \$273,000,000 is provided to meet  
24 the terms of section 251(b)(2)(B)(i)(III) of the Balanced  
25 Budget and Emergency Deficit Control Act of 1985, as

1 amended, and \$483,052,000 is additional new budget au-  
2 thority specified for purposes of section 251(b)(2)(B) of such  
3 Act.

4 SEC. 1520. Of the funds made available for the Com-  
5 munity-Based Care Transitions Program under section  
6 3026 of Public Law 111–148, \$200,000,000 are hereby re-  
7 scinded.

8 SEC. 1521. Notwithstanding section 1101, the rescis-  
9 sions made in sections 522 and 525 of division F of Public  
10 Law 112–74 shall be repeated in this Act with respect to  
11 funds available for fiscal year 2013.

12 SEC. 1522. Section 148 of Public Law 112–175 is  
13 amended to read as follows: “Activities authorized by part  
14 A of title IV and section 1108(b) of the Social Security Act  
15 (except for activities authorized in section 403(b) of such  
16 Act) shall continue through September 30, 2013, in the  
17 manner authorized for fiscal year 2012, and out of any  
18 money in the Treasury of the United States not otherwise  
19 appropriated, there are hereby appropriated such sums as  
20 may be necessary for such purpose.”.

## 21 TITLE VI

### 22 LEGISLATIVE BRANCH

23 SEC. 1601. Notwithstanding any other provision of  
24 this Act, for a payment to Irene Hirano Inouye, widow of  
25 Daniel K. Inouye, late a Senator from Hawaii, \$193,400.

1       *SEC. 1602. Notwithstanding section 1101, the level for*  
2       *“Joint Congressional Committee On Inaugural Ceremonies*  
3       *of 2013” shall be \$0.*

4       *SEC. 1603. Notwithstanding section 1101, the level for*  
5       *“Capitol Police, General Expenses” shall be \$62,004,000.*

6       *SEC. 1604. Notwithstanding section 1101, the level of*  
7       *funding for “Architect of the Capitol, General Administra-*  
8       *tion” shall be \$97,340,000.*

9       *SEC. 1605. (a) Notwithstanding section 1104, of the*  
10       *amounts made available by section 1101 for accounts under*  
11       *the heading “Architect of the Capitol”, the Architect of the*  
12       *Capitol may transfer an aggregate amount of not more than*  
13       *\$61,247,000 to “Architect of the Capitol, Capitol Building”,*  
14       *solely for expenses related to the rehabilitation of the United*  
15       *States Capitol Dome.*

16       *(b) The transfer of amounts under the authority of sub-*  
17       *section (a) shall be subject to the approval of the Committees*  
18       *on Appropriations of the House of Representatives and Sen-*  
19       *ate.*

20       *(c) Any amounts transferred under the authority of*  
21       *subsection (a) shall remain available until expended.*

22       *SEC. 1606. (a) Notwithstanding section 1101, avail-*  
23       *able balances of expired Architect of the Capitol appropria-*  
24       *tions shall be available to the Architect of the Capitol to*  
25       *make the deposit to the credit of the Employees’ Compensa-*

1 *tion Fund required by section 8147(b) of title 5, United*  
2 *States Code.*

3 (b) *EFFECTIVE DATE.*—*This section shall apply with*  
4 *respect to appropriations for fiscal year 2013 and each year*  
5 *thereafter.*

6 *SEC. 1607. Notwithstanding section 1101, the level for*  
7 *“Library of Congress, Copyright Office, Salaries and Ex-*  
8 *penses” shall be \$737,000 under the first proviso, and shall*  
9 *be \$34,250,000 under the fourth proviso.*

10 *SEC. 1608. Notwithstanding section 1101, the level for*  
11 *“Government Printing Office, Congressional Printing and*  
12 *Binding” shall be \$83,632,000; “Government Printing Of-*  
13 *fice, Government Printing Office Revolving Fund” shall be*  
14 *\$4,000,000.*

15 *SEC. 1609. Notwithstanding section 1101, the level for*  
16 *“Government Printing Office, Office of Superintendent of*  
17 *Documents, Salaries and Expenses” shall be \$31,500,000*  
18 *and the amounts authorized for producing and dissemi-*  
19 *nating Congressional serial sets and other related publica-*  
20 *tions to depository and other designated libraries shall*  
21 *apply to publications for fiscal years 2011 and 2012.*

22 *SEC. 1610. Notwithstanding section 1101, the level for*  
23 *“Government Accountability Office, Salaries and Ex-*  
24 *penses” shall be \$506,282,000, the amount applicable under*  
25 *the first proviso under that heading shall be \$26,404,000.*

1       *SEC. 1611. (a) IN GENERAL.—Available balances of*  
 2       *expired Government Accountability Office appropriations*  
 3       *shall be available to the Government Accountability Office*  
 4       *to make the deposit to the credit of the Employees’ Com-*  
 5       *pensation Fund required by section 8147(b) of title 5*  
 6       *United States Code.*

7       *(b) EFFECTIVE DATE.—This section shall apply with*  
 8       *respect to fiscal year 2013 and each fiscal year thereafter.*

9       *SEC. 1612. Notwithstanding section 1101, the level for*  
 10       *“Open World Leadership Center Trust Fund” shall be*  
 11       *\$8,000,000.*

## 12                                   *TITLE VII*

### 13       *DEPARTMENT OF STATE, FOREIGN OPERATIONS,* 14       *AND RELATED PROGRAMS*

15       *SEC. 1701. (a) Notwithstanding section 1101, the*  
 16       *amounts included under the heading “Embassy Security,*  
 17       *Construction, and Maintenance” under title I in division*  
 18       *I of Public Law 112–74 shall be applied to funds appro-*  
 19       *priated by this division as follows: by substituting*  
 20       *“\$938,125,000” for “\$762,000,000” in the first paragraph;*  
 21       *and by substituting “\$688,499,000” for “\$775,000,000” in*  
 22       *the second paragraph.*

23       *(b) Notwithstanding section 1101, the levels for the fol-*  
 24       *lowing accounts under title I in division I of Public Law*  
 25       *112–74 shall be applied to funds appropriated by this divi-*

1 sion as follows: “Contributions for International Peace-  
 2 keeping Activities”, \$2,006,499,000; “International Bound-  
 3 ary and Water Commission, United States and Mexico,  
 4 Salaries and Expenses”, \$43,499,000; “International  
 5 Boundary and Water Commission, United States and Mex-  
 6 ico, Construction”, \$27,675,000; “American Sections, Inter-  
 7 national Commissions”, \$11,923,000; “International Fish-  
 8 eries Commissions”, \$34,617,000; “Commission for the  
 9 Preservation of America’s Heritage Abroad, Salaries and  
 10 Expenses”, \$606,000; “United States Commission on Inter-  
 11 national Religious Freedom, Salaries and Expenses”,  
 12 \$2,932,000; “Commission on Security and Cooperation in  
 13 Europe, Salaries and Expenses”, \$2,443,000; “Congres-  
 14 sional-Executive Commission on the People’s Republic of  
 15 China, Salaries and Expenses”, \$1,906,000; and “United  
 16 States-China Economic and Security Review Commission,  
 17 Salaries and Expenses”, \$3,312,000.

18 SEC. 1702. (a) Notwithstanding section 1101, the  
 19 amounts included under the heading “Global Health Pro-  
 20 grams” under title III in division I of Public Law 112–  
 21 74 shall be applied to funds appropriated by this division  
 22 as follows: by substituting in the first sentence in the first  
 23 paragraph “\$2,755,950,000” for “\$2,625,000,000”; by sub-  
 24 stituting in the first sentence in the second paragraph  
 25 “\$5,720,499,000” for “\$5,542,860,000”; and by substituting

1 in the second proviso in the second paragraph  
2 “\$1,650,000,000” for “\$1,050,000,000”.

3 (b) Notwithstanding section 1101, the amounts in-  
4 cluded under the heading “Economic Support Fund” under  
5 title III in division I of Public Law 112–74 shall be applied  
6 to funds appropriated by this division by inserting after  
7 the tenth proviso and before the period the following: “: Pro-  
8 vided further, That not less than \$325,400,000 of the funds  
9 appropriated under this heading shall be transferred to, and  
10 merged with, funds appropriated under the heading ‘Devel-  
11 opment Assistance’ in this Act”.

12 SEC. 1703. (a) Notwithstanding section 1101, the sixth  
13 proviso under the heading “Nonproliferation, Anti-ter-  
14 rorism, Demining and Related Programs” in division I of  
15 Public Law 112–74 shall be applied to funds appropriated  
16 by this division by substituting the following: “Provided  
17 further, That funds made available for demining, conven-  
18 tional weapons destruction, and related activities, in addi-  
19 tion to funds otherwise made available for such purposes,  
20 may be used for administrative expenses related to the oper-  
21 ation and management of demining, conventional weapons  
22 destruction, and related programs”.

23 (b) Notwithstanding section 1101, the first sentence  
24 under the heading “Nonproliferation, Anti-terrorism,  
25 Demining and Related Programs” in division I of Public



1 *Law 112–74 shall be applied to funds appropriated by this*  
 2 *division by inserting “to remain available until September*  
 3 *30, 2014,” after “\$590,113,000.”*

4 *(c) Notwithstanding section 1101, the third proviso*  
 5 *under the heading “International Security Assistance, De-*  
 6 *partment of State, Peacekeeping Operations” in division I*  
 7 *of Public Law 112–74 shall be applied to funds appro-*  
 8 *priated by this division by substituting “\$161,000,000” for*  
 9 *“\$91,818,000” and “2014” for “2013”.*

10 *(d) Notwithstanding section 1101, the amounts in-*  
 11 *cluded in the first paragraph under the heading “Foreign*  
 12 *Military Financing Program” under title IV in division*  
 13 *I of Public Law 112–74 shall be applied to funds appro-*  
 14 *priated by this division by substituting in the second pro-*  
 15 *viso “\$3,100,000,000” for “\$3,075,000,000” and by sub-*  
 16 *stituting in the fourth proviso “\$815,300,000” for*  
 17 *“\$808,725,000”.*

18 *SEC. 1704. (a) Notwithstanding section 1101, the levels*  
 19 *for the following accounts under title V in division I of Pub-*  
 20 *lic Law 112–74 shall be as follows: “Global Environment*  
 21 *Facility”, \$129,400,000; “Contribution to the International*  
 22 *Bank for Reconstruction and Development”, \$186,957,000;*  
 23 *“Contribution to the Enterprise for the Americas Multilat-*  
 24 *eral Investment Fund”, \$15,000,000; and in the first para-*  
 25 *graph under “Contribution to the International Develop-*

1 *ment Association*”, \$1,358,500,000; and “*Contribution to*  
 2 *the Inter-American Development Bank*”, \$111,153,000.

3 (b) *Notwithstanding section 1101, the level for the fol-*  
 4 *lowing accounts shall be \$0: “Multilateral Assistance, Inter-*  
 5 *national Financial Institutions, European Bank for Recon-*  
 6 *struction and Development, Limitation on Callable Capital*  
 7 *Subscriptions”; “Bilateral Economic Assistance, Funds Ap-*  
 8 *propriated to the President, Assistance for Europe, Eurasia*  
 9 *and Central Asia”; and “International Security Assistance,*  
 10 *Funds Appropriated to the President, Pakistan Counter-*  
 11 *insurgency Capability Fund”.*

12 (c) *Notwithstanding section 1101, the level for the sec-*  
 13 *ond paragraphs for the following accounts under title V in*  
 14 *division I of Public Law 112–74 shall be \$0: “Contribution*  
 15 *to the International Development Association”; “Contribu-*  
 16 *tion to the Inter-American Development Bank”; and “Con-*  
 17 *tribution to the African Development Fund”.*

18 (d) *Section 70 of the Bretton Woods Agreements Act*  
 19 *(22 U.S.C. 286 et seq.), is amended in subsection (b) by*  
 20 *adding at the end the following:*

21 “(3) *In order to pay for the increase in the*  
 22 *United States subscription to the Bank under sub-*  
 23 *section (a)(1)(B), there are authorized to be appro-*  
 24 *priated, without fiscal year limitation,*

1       \$4,639,501,466 for payment by the Secretary of the  
2       Treasury.

3           “(4) Of the amount authorized to be appro-  
4       priated under paragraph (3), \$278,370,088 shall be  
5       for paid in shares of the Bank, and \$4,361,131,378  
6       shall be for callable shares of the Bank.”.

7       SEC. 1705. Of the unexpended balances available under  
8       the heading “Export and Investment Assistance, Export-  
9       Import Bank of the United States, Subsidy Appropriation”  
10      from prior Acts making appropriations for the Department  
11      of State, foreign operations, and related programs,  
12      \$400,000,000 are rescinded.

13      SEC. 1706. (a) Notwithstanding section 1101, section  
14      7006 in division I of Public Law 112–74 shall be applied  
15      to funds appropriated by this division by substituting “Af-  
16      ghanistan, Pakistan, and other hostile or high-risk areas”  
17      for “Afghanistan, and Pakistan”.

18      (b) Notwithstanding section 1101, the amount included  
19      in section 7034(f) in division I of Public Law 112–74 shall  
20      be applied to funds appropriated by this division by sub-  
21      stituting “\$100,000,000” for “\$50,000,000”.

22      (c) Notwithstanding section 1101, section 7054(b) in  
23      division I of Public Law 112–74 shall be applied to funds  
24      appropriated by this division by inserting before the period  
25      in paragraph (2) “; or (3) such assistance, license, sale, or

1 *transfer is for the purpose of demilitarizing or disposing*  
2 *of such cluster munitions”.*

3 *(d) Notwithstanding section 1101, section 7054(b) in*  
4 *division I of Public Law 112–74 shall be applied for pur-*  
5 *poses of this division by inserting before the period in para-*  
6 *graph (2) “; or (3) such assistance, license, sale, or transfer*  
7 *is for the purpose of demilitarizing or disposing of such*  
8 *cluster munitions”.*

9 *(e) Notwithstanding section 1101, section 7063 in divi-*  
10 *sion I of Public Law 112–74 shall be applied to funds ap-*  
11 *propriated by this division by substituting “September 30,*  
12 *2014” for “September 30, 2013”.*

13 *(f) Notwithstanding section 1101, sections 7070(a) and*  
14 *7072(a) in division I of Public Law 112–74 shall be applied*  
15 *to funds appropriated by this division by substituting*  
16 *“headings” for “heading” and substituting “‘Global Health*  
17 *Programs’, ‘Economic Support Fund’, and ‘International*  
18 *Narcotics Control and Law Enforcement’ for ‘Assistance for*  
19 *Europe, Eurasia and Central Asia’”.*

20 *(g) Notwithstanding section 1101, section 7070 in di-*  
21 *vision I of Public Law 112–74 shall be applied to funds*  
22 *appropriated by this division by adding the following:*

23 *“(d) Funds appropriated by this division under the*  
24 *heading ‘Economic Support Fund’ may be made available,*  
25 *not withstanding any other provision of law, for assistance*

1 *and related programs for the countries identified in section*  
 2 *3(c) of the Support for Eastern European Democracy*  
 3 *(SEED) Act of 1989 (Public Law 101–179) and section 3*  
 4 *of the FREEDOM Support Act (Public Law 102–511) and*  
 5 *may be used to carry out the provisions of those Acts: Pro-*  
 6 *vided, That such assistance and related programs from*  
 7 *funds appropriated by this Act under the headings ‘Global*  
 8 *Health Programs’, ‘Economic Support Fund’, and ‘Inter-*  
 9 *national Narcotics Control and Law Enforcement’ shall be*  
 10 *administered in accordance with the responsibilities of the*  
 11 *coordinator designated pursuant to section 601 of the Sup-*  
 12 *port for Eastern European Democracy (SEED) Act of 1989*  
 13 *(Public Law 101–179) and section 102 of the FREEDOM*  
 14 *Support Act (Public Law 102–511), and shall be made*  
 15 *available in amounts consistent with the amounts made*  
 16 *available under the heading ‘Assistance for Europe, Eur-*  
 17 *asia and Central Asia’ in fiscal year 2012, in consultation*  
 18 *with the Committees on Appropriations.”.*

19 *(h) The Foreign Operations, Export Financing, and*  
 20 *Related Programs Appropriations Act, 1990 (Public Law*  
 21 *101–167) is amended—*

22 *(1) in section 599D (8 U.S.C. 1157 note)—*

23 *(A) in subsection (b)(3), by striking “and*  
 24 *2012” and inserting “2012, and 2013”; and*

1                   (B) in subsection (e), by striking “2012”  
2                   each place it appears and inserting “2013”; and  
3                   (2) in section 599E (8 U.S.C. 1255 note) in sub-  
4                   section (b)(2), by striking “2012” and inserting  
5                   “2013”.

6                   (i) Notwithstanding section 1101, section 7041(h) in  
7                   division I of Public Law 112–74 shall be applied to funds  
8                   appropriated by this division by including the following be-  
9                   fore the period: “Provided, That prior to obligating funds  
10                  made available by this Act for assistance for Syria, the Sec-  
11                  retary of State shall consult with the Committees on Appro-  
12                  priations and Foreign Relations of the Senate and the Com-  
13                  mittees on Appropriations and Foreign Affairs of the House  
14                  of Representatives: Provided further, That such funds shall  
15                  be subject to the regular notification procedures of the Com-  
16                  mittees on Appropriations”.

17                  (j) Notwithstanding section 1101, the fifth proviso  
18                  under the heading “Economic Support Fund” in division  
19                  I of Public Law 112–74 shall be applied to funds appro-  
20                  priated by this division by substituting: “Provided further,  
21                  That funds appropriated under this heading in this Act  
22                  may be made available for the costs, as defined in section  
23                  502 of the Congressional Budget Act of 1974, of loan guar-  
24                  antees for Jordan and” for “Provided further, That up to  
25                  \$30,000,000 of the funds appropriated for fiscal year 2011

1 *under this heading in Public Law 112–10, division B, may*  
2 *be made available for the costs, as defined in section 502*  
3 *of the Congressional Budget Act of 1974, of loan guarantees*  
4 *for”.*

5       *SEC. 1707. (a) Notwithstanding section 1101, the levels*  
6 *for the following accounts under title VIII in division I of*  
7 *Public Law 112–74 shall be as follows: “Diplomatic and*  
8 *Consular Programs”, \$3,210,650,000, of which*  
9 *\$918,435,000 is for Worldwide Security Protection (to re-*  
10 *main available until expended); and “Embassy Security,*  
11 *Construction, and Maintenance”, \$1,272,200,000, of which*  
12 *\$1,261,400,000 is for the costs of worldwide security up-*  
13 *grades, acquisition, and construction, as authorized: Pro-*  
14 *vided, That funds made available under this subsection*  
15 *shall be used for operations at high threat posts, security*  
16 *programs to protect personnel and property under Chief of*  
17 *Mission authority, preventing the compromise of classified*  
18 *United States Government information and equipment, and*  
19 *security construction or upgrade requirements at Depart-*  
20 *ment of State facilities worldwide, including for Worldwide*  
21 *Security Upgrades.*

22       *(b) Of the unobligated balances from funds appro-*  
23 *priated under title VIII in division I of Public Law 112–*  
24 *74 under the heading “Diplomatic and Consular Pro-*  
25 *grams” and designated by the Congress for Overseas Con-*

1 *tingency Operations/Global War on Terrorism pursuant to*  
 2 *section 251(b)(2)(A) of the Balanced Budget and Emer-*  
 3 *gency Deficit Control Act of 1985, \$1,109,700,000 are re-*  
 4 *scinded.*

5 *(c) Not later than 90 days after enactment of this Act,*  
 6 *the Secretary of State shall submit a report to the Commit-*  
 7 *tees on Appropriations providing an assessment of security*  
 8 *requirements at United States diplomatic facilities world-*  
 9 *wide, including those facilities considered expeditionary in*  
 10 *nature; a comprehensive plan for addressing such require-*  
 11 *ments; and a detailed description of Embassy security im-*  
 12 *provements to be supported from funds made available by*  
 13 *this section: Provided, That such report shall be submitted*  
 14 *in unclassified form, but may include a classified annex.*

15 *(d) Notwithstanding section 1101, the amounts in-*  
 16 *cluded under the heading “Office of Inspector General”*  
 17 *under title VIII in division I of Public Law 112–74 shall*  
 18 *be applied to funds appropriated by this division as follows:*  
 19 *by substituting “\$59,151,000” for “\$67,182,000”, and by*  
 20 *substituting “\$6,000,000” for “\$19,545,000” for the Special*  
 21 *Inspector General for Iraq Reconstruction; and by sub-*  
 22 *stituting “\$49,901,000” for “\$44,387,000” for the Special*  
 23 *Inspector General for Afghanistan Reconstruction.*

24 *(e) Notwithstanding section 1101, the levels for the fol-*  
 25 *lowing accounts under title VIII in division I of Public*



1 *Law 112–74 shall be as follows: “International Disaster As-*  
2 *sistance”, \$774,661,000; “Migration and Refugee Assist-*  
3 *ance”, \$1,152,850,000; and “Economic Support Fund”,*  
4 *\$3,119,896,000.*

5 *SEC. 1708. Notwithstanding section 1101, title VIII of*  
6 *division I of Public Law 112–74 shall be applied to funds*  
7 *appropriated by this division by inserting the following at*  
8 *the end of section 8004:*

9 *“SEC. 8005. Funds appropriated by this title under*  
10 *the headings ‘Diplomatic and Consular Programs’, ‘Em-*  
11 *bassy Security, Construction, and Maintenance’, and ‘Edu-*  
12 *cational and Cultural Exchange Programs’ may be trans-*  
13 *ferred to, and merged with, funds appropriated by this title*  
14 *under such headings: Provided, That such transfers shall*  
15 *be subject to the regular notification procedures of the Com-*  
16 *mittees on Appropriations: Provided further, That the*  
17 *transfer authority in this section is in addition to any*  
18 *transfer authority otherwise available under any other pro-*  
19 *vision of law.*

20 *“SEC. 8006. Funds appropriated by this title shall be*  
21 *made available for assistance for Jordan, in addition to*  
22 *amounts otherwise made available by this Act.”.*

1 *TITLE VIII*2 *TRANSPORTATION AND HOUSING AND URBAN*  
3 *DEVELOPMENT, AND RELATED AGENCIES*

4 *SEC. 1801. (a) Notwithstanding sections 1101 and*  
5 *1104, the level for limitations on obligation and liquidation*  
6 *of contract authority shall be available in the following ac-*  
7 *counts equal to the level of the contract authority subject*  
8 *to such limitation appropriated out of the Highway Trust*  
9 *Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101,*  
10 *32603, and 51001 of Public Law 112–141 for fiscal year*  
11 *2013:*

12 (1) *“Department of Transportation—Federal*  
13 *Highway Administration—Limitation on Adminis-*  
14 *trative Expenses”;*

15 (2) *“Department of Transportation—Federal*  
16 *Highway Administration—Federal-Aid Highways—*  
17 *(Limitation on Obligations)—(Highway Trust*  
18 *Fund)—(Liquidation of Contract Authorization)—*  
19 *(Highway Trust Fund)”;*

20 (3) *“Department of Transportation—Federal*  
21 *Motor Carrier Safety Administration—Motor Carrier*  
22 *Safety Operations and Programs—(Liquidation of*  
23 *Contract Authorization)—(Limitation on Obliga-*  
24 *tions)—(Highway Trust Fund)”;*

1           (4) “Department of Transportation—Federal  
 2           Motor Carrier Safety Administration—Motor Carrier  
 3           Safety Grants—(Liquidation of Contract Authoriza-  
 4           tion)—(Limitation on Obligations)—(Highway Trust  
 5           Fund)”; Provided, Section 131 of Division C of Pub-  
 6           lic Law 112–55 is hereby deleted; and

7           (5) “Department of Transportation—National  
 8           Highway Traffic Safety Administration—Operations  
 9           and Research—(Liquidation of Contract Authoriza-  
 10          tion)—(Limitation on Obligations)—(Highway Trust  
 11          Fund)”.  
 12          (b) Section 120 of division C of Public Law 112–55  
 13          shall not apply to amounts made available by this division.  
 14          (c) During the period covered by this division, section  
 15          1102 of Public Law 112–141 shall be applied—

16           (1) in subsection (b)(10), as if the limitation ap-  
 17           plicable through fiscal year 2011 applied through fis-  
 18           cal year 2012; and

19           (2) in subsection (c)(5), by treating the reference  
 20           to section 204 of title 23, United States Code, as a  
 21           reference to sections 202 and 204 of such title.

22          SEC. 1802. Notwithstanding sections 1101 and 1104,  
 23          the language under the heading “Department of Transpor-  
 24          tation—National Highway Traffic Safety Administra-  
 25          tion—Highway Traffic Safety Grants—(Liquidation of

1 *Contract Authorization)*—(*Limitation on Obligations*)—  
 2 *(Highway Trust Fund)*” shall be applied to funds made  
 3 available by this Act as if the language read as follows: “For  
 4 payment of obligations incurred in carrying out the provi-  
 5 sions of 23 U.S.C. 402 and 405, section 2009 of Public Law  
 6 109–59 (as amended by section 31106 of Public Law 112–  
 7 141), and section 31101(a)(6) of Public Law 112–141,  
 8 \$554,500,000, to remain available until expended, to be de-  
 9 rived from the Highway Trust Fund (other than the Mass  
 10 Transit Account): Provided, That none of the funds in this  
 11 Act shall be available for the planning or execution of pro-  
 12 grams the total obligations for which, in fiscal year 2013,  
 13 are in excess of \$554,500,000 for programs authorized under  
 14 23 U.S.C. 402 and 405, section 2009 of Public Law 109–  
 15 59 (as amended by section 31106 of Public Law 112–141),  
 16 and section 31101(a)(6) of Public Law 112–141, of which  
 17 \$235,000,000 shall be for ‘Highway Safety Programs’ under  
 18 23 U.S.C. 402, \$29,000,000 shall be for ‘High Visibility En-  
 19 forcement Program’ under section 2009 of Public Law 109–  
 20 59 (as amended by section 31106 of Public Law 112–141),  
 21 \$265,000,000 shall be for ‘National Priority Safety Pro-  
 22 grams’ under 23 U.S.C. 405, and \$25,500,000 shall be for  
 23 ‘Administrative Expenses’ under section 31101(a)(6) of  
 24 Public Law 112–141: Provided further, That not to exceed  
 25 \$500,000 of the funds made available for 23 U.S.C. 405 for

1 *‘Impaired Driving Countermeasures’ (as described in sub-*  
2 *section (d) of such section) shall be available for technical*  
3 *assistance to the States.”*

4       *SEC. 1803. (a) Amounts provided by section 1101 for*  
5 *“Department of Transportation—Federal Transit Admin-*  
6 *istration—Formula and Bus Grants—(Liquidation of Con-*  
7 *tract Authority)—(Limitation on Obligations)—(Highway*  
8 *Trust Fund)” are available for payment of obligations in-*  
9 *curring in the Federal Public Transportation Assistance*  
10 *Program in this account, and for payment of obligations*  
11 *incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311,*  
12 *5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as*  
13 *amended by Public Law 112–141), and 20005(b) of Public*  
14 *Law 112–141: Provided, That, notwithstanding sections*  
15 *1101 and 1104, the proviso under such heading shall be ap-*  
16 *plied to funds provided by this Act as if the proviso read*  
17 *as follows: “Provided, That funds available for the imple-*  
18 *mentation or execution of programs authorized by 49*  
19 *U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6),*  
20 *5335, 5337, 5339, and 5340, as amended by Public Law*  
21 *112–141; and 20005(b) of Public Law 112–141 shall not*  
22 *exceed obligations of \$8,478,000,000.”.*

23       *(b) Notwithstanding sections 1101 and 1104, for nec-*  
24 *essary administrative expenses of the Federal Transit Ad-*  
25 *ministration’s programs authorized by chapter 53 of title*

1 49, *United States Code*, as amended by Public Law 112–  
2 141, \$102,713,000, to remain available until expended, of  
3 which \$4,000,000 shall be available to carry out 49 U.S.C.  
4 5329.

5 (c) Notwithstanding sections 1101 and 1104, amounts  
6 provided for “Department of Transportation—Federal  
7 Transit Administration—Research and University Re-  
8 search Centers” shall be available for necessary expenses to  
9 carry out 49 U.S.C. 5312–5314 and 5322, as amended by  
10 Public Law 112–141: Provided, That, of the amount pro-  
11 vided under this heading, not less than \$35,000,000 shall  
12 be available to carry out the provisions of 49 U.S.C. 5312.

13 (d) Notwithstanding section 1101, the language under  
14 the heading “Department of Transportation—Federal  
15 Transit Administration—Capital Investment Grants” in  
16 division C of Public Law 112–55 shall be applied to funds  
17 appropriated by this Act as if the language: “, of which  
18 \$35,481,000” and all that follows through the end of the  
19 first proviso were deleted.

20 (e) Section 601(e)(1)(B) of division B of Public Law  
21 110–432 shall be applied by substituting the date specified  
22 in section 1106 of this division for “4 years after such  
23 date”.

24 SEC. 1804. Section 112 of division C of Public Law  
25 112–55 shall be applied to funds appropriated by this divi-

1 sion by treating such section as if it were amended by strik-  
 2 ing “49 U.S.C. 41742(b) shall not apply, and”.

3       SEC. 1805. Notwithstanding section 1101, the level for  
 4 “Department of Housing and Urban Development, Commu-  
 5 nity Planning and Development, Homeless Assistance  
 6 Grants” shall be \$2,033,000,000: Provided, That the level  
 7 for project-based rental assistance with rehabilitation  
 8 projects with 10-year grant terms shall be \$0, and any un-  
 9 obligated amounts appropriated under such heading for  
 10 such purpose in fiscal year 2012 or in any prior Act shall  
 11 be applied in fiscal year 2013 by making any such amounts  
 12 available for any purpose under such heading: Provided  
 13 further, That the first proviso shall be applied by striking  
 14 “\$250,000,000” and inserting “\$200,000,000”.

15       SEC. 1806. Notwithstanding sections 1101 and 1104,  
 16 the level for “Department of Housing and Urban Develop-  
 17 ment, Public and Indian Housing, Indian Housing Loan  
 18 Guarantee Fund Program Account” shall be \$12,200,000:  
 19 Provided, the second proviso under such heading in division  
 20 C of Public Law 112–55 shall be applied to funds appro-  
 21 priated by this division by substituting “\$976,000,000” for  
 22 “\$360,000,000”; Provided further, section 184(d) of the  
 23 Housing and Community Development Act of 1992 is  
 24 amended to read as follows:

1       “(d) *GUARANTEE FEE.*—*The Secretary shall establish*  
2 *and collect, at the time of issuance of the guarantee, a fee*  
3 *for the guarantee of loans under this section, in an amount*  
4 *not exceeding 3 percent of the principal obligation of the*  
5 *loan. The Secretary may also establish and collect annual*  
6 *premium payments in an amount not exceeding 1 percent*  
7 *of the remaining guaranteed balance (excluding the portion*  
8 *of the remaining balance attributable to the fee collected at*  
9 *the time of issuance of the guarantee). The Secretary shall*  
10 *establish the amount of the fees and premiums by pub-*  
11 *lishing a notice in the Federal Register. The Secretary shall*  
12 *deposit any fees and premiums collected under this sub-*  
13 *section in the Indian Housing Loan Guarantee Fund estab-*  
14 *lished under subsection (i).”.*

15       *SEC. 1807. Notwithstanding section 1101, the level for*  
16 *“Department of Housing and Urban Development, Public*  
17 *and Indian Housing, Tenant-Based Rental Assistance”*  
18 *shall be \$14,939,369,000, to remain available until ex-*  
19 *pended, which shall be available on October 1, 2012 (in ad-*  
20 *dition to the \$4,000,000,000 previously appropriated under*  
21 *such heading that became available on October 1, 2012),*  
22 *and, notwithstanding section 1111, an additional*  
23 *\$4,000,000,000, to remain available until expended, shall*  
24 *be available on October 1, 2013: Provided, That of the*  
25 *amounts available for such heading, \$1,375,000,000 shall*



1 *be for activities specified in paragraph (3) under such head-*  
 2 *ing in title II of division C of Public Law 112–55: Provided*  
 3 *further, That in applying paragraph 1 under such heading*  
 4 *in such Public Law to 2013, under the penultimate proviso*  
 5 *strike “(4) for incremental” and all that follows up to the*  
 6 *colon and insert “(4) for PHAs, that despite taking reason-*  
 7 *able cost savings measures, as determined by the Secretary,*  
 8 *would otherwise be required to terminate participating*  
 9 *families from the program due to insufficient funds”.*

10 *SEC. 1808. The heading “DEPARTMENT OF HOUSING*  
 11 *AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING,*  
 12 *HOUSING CERTIFICATE FUND (RESCISSION)” in division C*  
 13 *of Public Law 112–55 shall be applied by striking “(RE-*  
 14 *SCISSION)” in the heading and by replacing all of the lan-*  
 15 *guage under such heading with the language under such*  
 16 *heading in division A of Public Law 111–117 and by strik-*  
 17 *ing “2010” in such replacement language and inserting*  
 18 *“2013”.*

19 *SEC. 1809. Notwithstanding section 1101, the level for*  
 20 *“Department of Housing and Urban Development, Public*  
 21 *and Indian Housing, Public Housing Operating Fund”*  
 22 *shall be \$4,262,010,000: Provided, That such heading shall*  
 23 *be applied in fiscal year 2013 by striking “, of which” and*  
 24 *all that follows up to the period.*

1        *SEC. 1810. Section 216 in division C of Public Law*  
 2        *112–55 shall be applied in fiscal year 2013 by striking*  
 3        *“September 30, 2012” and inserting “September 30, 2013”.*

4                    ***DIVISION G—OTHER MATTERS***

5        *SEC. 3001. (a) There is hereby rescinded the applicable*  
 6        *percentage (as specified in subsection (b)) of the budget au-*  
 7        *thority provided (or obligation limit imposed) for fiscal*  
 8        *year 2013 for any discretionary account in divisions A*  
 9        *through E of this Act; and*

10        *(b) For purposes of subsection (a), the applicable per-*  
 11        *centage shall be—*

12                    *(1) for budget authority in the nonsecurity cat-*  
 13        *egory (as defined in section 250(c)(4)(A) of the Bal-*  
 14        *anced Budget and Emergency Deficit Control Act of*  
 15        *1985, in—*

16                    *(A) divisions A and E, 2.513. percent; and*

17                    *(B) division B, 1.877 percent; and*

18                    *(2) for budget authority in the security category*  
 19        *(as defined in section 250(c)(4)(B) of the Balanced*  
 20        *Budget and Emergency Deficit Control Act of 1985),*  
 21        *0.1 percent.*

22        *(c) Any rescission made by subsection (a) shall be ap-*  
 23        *plied proportionately—*

24                    *(1) to each discretionary account and each item*  
 25        *of budget authority described in such subsection; and*

1           (2) *within each such account and item, to each*  
2           *program, project, and activity (with programs,*  
3           *projects, and activities as delineated in the applicable*  
4           *appropriation Act or accompanying reports covering*  
5           *such account or item).*

6           (d) *This section shall not apply to amounts designated*  
7           *by the Congress for Overseas Contingency Operations/Glob-*  
8           *al War on Terrorism pursuant to section 251(b)(2)(A) of*  
9           *the Balanced Budget and Emergency Deficit Control Act*  
10           *of 1985 or as being for disaster relief pursuant to section*  
11           *251(b)(2)(D) of such Act; and*

12           (e) *Within 30 days after the date of the enactment of*  
13           *this section, the Director of the Office of Management and*  
14           *Budget shall submit to the Committees on Appropriations*  
15           *of the House of Representatives and the Senate a report*  
16           *specifying the account and amount of each rescission made*  
17           *pursuant to this section.*

18           SEC. 3002. *Notwithstanding any other provision of*  
19           *this Act, if, on or after the date of enactment of this Act,*  
20           *a sequestration order issued by the President pursuant to*  
21           *section 251A(7)(A) of the Balanced Budget and Emergency*  
22           *Deficit Control Act of 1985 is in effect, the reductions in*  
23           *each discretionary account under such order shall apply to*  
24           *the amounts provided in this Act consistent with section*

1 253(f) of that Act, and shall be in addition to any reduc-  
2 tions required by section 251(a) of that Act.

3 SEC. 3003. (a) The head of any Executive branch de-  
4 partment, agency, board, commission, or office funded by  
5 this or any other appropriations Act shall submit annual  
6 reports to the Inspector General or senior ethics official for  
7 any entity without an Inspector General, regarding the  
8 costs and contracting procedures related to each conference  
9 held by any such department, agency, board, commission,  
10 or office during fiscal year 2013 for which the cost to the  
11 United States Government was more than \$100,000.

12 (b) Each report submitted shall include, for each con-  
13 ference described in subsection (a) held during the applica-  
14 ble period—

15 (1) a description of its purpose;

16 (2) the number of participants attending;

17 (3) a detailed statement of the costs to the United  
18 States Government, including—

19 (A) the cost of any food or beverages;

20 (B) the cost of any audio-visual services;

21 (C) the cost of employee or contractor travel  
22 to and from the conference; and

23 (D) a discussion of the methodology used to  
24 determine which costs relate to the conference;  
25 and

1           (4) a description of the contracting procedures  
2       used including—

3           (A) whether contracts were awarded on a  
4       competitive basis; and

5           (B) a discussion of any cost comparison  
6       conducted by the departmental component or of-  
7       fice in evaluating potential contractors for the  
8       conference.

9       (c) Within 15 days of the date of a conference held  
10   by any Executive branch department, agency, board, com-  
11   mission, or office funded by this or any other appropria-  
12   tions Act during fiscal year 2013 for which the cost to the  
13   United States Government was more than \$20,000, the head  
14   of any such department, agency, board, commission, or of-  
15   fice shall notify the Inspector General or senior ethics offi-  
16   cial for any entity without an Inspector General, of the  
17   date, location, and number of employees attending such con-  
18   ference.

19       (d) A grant or contract funded by amounts appro-  
20   priated by this or any other appropriations Act to an Exec-  
21   utive branch agency may not be used for the purpose of  
22   defraying the costs of a conference described in subsection  
23   (c) that is not directly and programmatically related to the  
24   purpose for which the grant or contract was awarded, such  
25   as a conference held in connection with planning, training,

1 *assessment, review, or other routine purposes related to a*  
2 *project funded by the grant or contract.*

3 *(e) None of the funds made available in this or any*  
4 *other appropriations Act may be used for travel and con-*  
5 *ference activities that are not in compliance with Office of*  
6 *Management and Budget Memorandum M-12-12 dated*  
7 *May 11, 2012.*

8 *SEC. 3004. (a) If, for fiscal year 2013, the amount of*  
9 *new budget authority provided in appropriation Acts ex-*  
10 *ceeds the discretionary spending limits set forth in section*  
11 *251(c)(2) of the Balanced Budget and Emergency Deficit*  
12 *Control Act on new budget authority for any category due*  
13 *to estimating differences with the Congressional Budget Of-*  
14 *fice, the Director of the Office of Management and Budget*  
15 *shall increase the applicable percentage in subsection (c)*  
16 *with respect to that category by such amount as is necessary*  
17 *to eliminate the amount of the excess in that category.*

18 *(b) Subject to subsection (a), there is hereby rescinded*  
19 *the applicable percentage (as specified in subsection (c))*  
20 *of—*

21 *(1) the budget authority provided (or obligation*  
22 *limit imposed) for fiscal year 2013 for any discre-*  
23 *tionary account in divisions A through F of this Act;*

24 *(2) the budget authority provided in any ad-*  
25 *vance appropriation for fiscal year 2013 for any dis-*

1        *cretionary account in any prior fiscal year appro-*  
2        *priation Act; and*

3            *(3) the contract authority provided in fiscal year*  
4        *2013 for any program subject to limitation incor-*  
5        *porated or otherwise contained in divisions A through*  
6        *F of this Act.*

7        *(c) For purposes of subsection (b), the applicable per-*  
8        *centage shall be—*

9            *(1) for budget authority in the nonsecurity cat-*  
10        *egory (as defined in section 250(c)(4)(A) of the Bal-*  
11        *anced Budget and Emergency Deficit Control Act of*  
12        *1985), 0 percent; and*

13            *(2) for budget authority in the security category*  
14        *(as defined in section 250(c)(4)(B) of the Balanced*  
15        *Budget and Emergency Deficit Control Act of 1985),*  
16        *0 percent.*

17        *(d) Any rescission made by subsection (b) shall be ap-*  
18        *plied proportionately—*

19            *(1) to each discretionary account and each item*  
20        *of budget authority described in such subsection; and*

21            *(2) within each such account and item, to each*  
22        *program, project, and activity (with programs,*  
23        *projects, and activities as delineated in the applicable*  
24        *appropriation Act or accompanying reports covering*  
25        *such account or item).*

1       (e) *This section shall not apply to—*

2               (1) *amounts designated by the Congress for Over-*  
3       *seas Contingency Operations/Global War on Ter-*  
4       *rorism pursuant to section 251(b)(2)(A) of the Bal-*  
5       *anced Budget and Emergency Deficit Control Act of*  
6       *1985 or as being for disaster relief pursuant to section*  
7       *251(b)(2)(D) of such Act; or*

8               (2) *the amount made available by division F of*  
9       *this Act for “Social Security Administration, Limita-*  
10      *tion on Administrative Expenses” for continuing dis-*  
11      *ability reviews under titles II and XVI of the Social*  
12      *Security Act and for the cost associated with con-*  
13      *ducting redeterminations of eligibility under title XVI*  
14      *of the Social Security Act.*

15      (f) *Within 30 days after the date of the enactment of*  
16      *this section, the Director of the Office of Management and*  
17      *Budget shall submit to the Committees on Appropriations*  
18      *of the House of Representatives and the Senate a report*



- 1 *specifying the account and amount of each rescission made*
- 2 *pursuant to this section.*

Passed the House of Representatives March 6,  
2013.

Attest: KAREN L. HAAS,  
*Clerk.*

Passed the Senate March 20, 2013.

Attest: NANCY ERICKSON,  
*Secretary.*